



Meeting of the Planning Committee

**Wednesday 31st, May 2023 at 6.00pm
at Saltwells Education Development Centre,
Bowling Green Road, Netherton**

Agenda - Public Session (Meeting open to the public and press)

1. Chair's Announcement.

Let me first inform you that this is a Committee Meeting of the Council, members of the public are here to observe the proceedings and should not make contributions to the decision-making process.

Applications are taken in numerical order with any site visit reports first, followed by applications with public speaking, then the remainder of the agenda. Officers have explained the public speaking procedures with all those present who are addressing the committee. Will speakers please make sure that they do not over-run their 3 minutes.

There will be no questioning by Members of objectors, applicants or agents, who will not be able to speak again.

All those attending this Committee should be aware that additional papers known as the "Pre-Committee Notes" are available to view on the Council's Committee Management Information System (CMIS). These contain amendments, additional representations received, etc, and should be read in conjunction with the main agenda to which they relate. They are fully taken into account before decisions are made.

2. Apologies for absence

3. To report the appointment of any substitute members serving for this meeting of the Committee.



4. To receive any declarations of interest under the Members' Code of Conduct
5. To confirm and sign the minutes of the meeting held on 19th April 2023 as a correct record (Pages 5 to 7)
6. Plans and Applications to Develop
 - (a) Planning Application No. P21/1233 – Land at Zoar Street, Lower Gornal – Demolition of 23 & 25 (Eggingtons Chemist) Abbey Road and 7, 8 & 9 Zoar Street. Erection of 1 no. retail store and pharmacy (E(a)) with associated access, car parking, servicing and landscaping (Pages 8 to 54)
 - (b) Planning Application No. P22/1657 – Hayley Fasteners (Site 2), Shelah Road, Halesowen – Demolition of existing commercial buildings to facilitate the erection of 1 no. warehouse with ancillary support offices, car park alterations, fencing, gates with modifications to access from Public Highway. Extension and Alterations to existing Office Block (3) with new fenestration rain screen cladding and new main entrance, new fenestration rain screen cladding to existing Block (2). Elevational changes to include new roller shutter entrances. New unloading canopies between existing and new warehouses and control kiosk to front (Pages 55 to 104)
7. Costings for Planning Obligations April 2023 – supplementary report (Pages 105 to 109)
8. To consider any questions from Members to the Chair where two clear days notice has been given to the Monitoring Officer (Council Procedure Rule 11.8).

Distribution:

To All Members of the Planning Committee



Chief Executive

Dated: 18th May 2023

To continue to protect vulnerable people, you are asked to note the following information when attending meetings: -

- Do not attend if you feel unwell; if you have tested positive for Covid-19; if you are self-isolating or if you suspect that you are symptomatic.
- Windows/doors will be opened to provide adequate ventilation.
- Sanitise your hands when arriving and leaving the building and wash your hands regularly.
- Hand sanitiser and antibacterial wipes are available at various locations.
- People suffering from long term conditions or living with vulnerable people are encouraged to wear face masks in meeting rooms, communal areas and when moving around the building. Surgical masks are available at reception.
- All people are encouraged to be vaccinated to limit any potential ill-health effects.
- Be respectful of everyone's personal space and preferences when you attend meetings.
- If you cannot maintain distancing or in a crowded environment, please wear a mask

Toilets

- Toilet facilities are available on site and are subject to safety measures that are in place. All the toilets have hand washing facilities.

No smoking

- There is no smoking on the premises in line with national legislation. It is an offence to smoke in or on the premises. You cannot use e-cigarettes and/or similar vaping devices.

In Case of Emergency

- In the event of the alarms sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

Submitting Apologies for Absence

- Elected Members can submit apologies by contacting Democratic Services (see our contact details below). Members wishing to appoint a substitute should notify Democratic Services as soon as possible in advance of the meeting. Any substitute Members must be eligible to serve on the meeting in question (for example, he/she must have received the training required by the Council).

Private and Confidential Information

- Any agendas containing reports with 'exempt' information should be treated as private and confidential. It is your responsibility to ensure that information containing private and personal data is kept safe and secure at all times. Confidential papers should be handed to Democratic Services for secure disposal. If you choose to retain the documents you should ensure that the information is securely stored and destroyed within six months.

General

- Public Wi-Fi is available.
- The use of mobile devices or electronic facilities is permitted for the purposes of recording/reporting during the public session of the meeting. The use of any such devices must not disrupt the meeting – Please turn off any ringtones or set your devices to silent.
- Information about the Council and our meetings can be viewed on the website www.dudley.gov.uk

If you need advice or assistance

- If you (or anyone you know) requires assistance to access the venue, or if you have any other queries, please contact Democratic Services - Telephone 01384 815238 or E-mail Democratic.Services@dudley.gov.uk

If you are reading these documents on an electronic device, you have saved the Council £7.00 (on average) per printed agenda and helped reduce the Council's carbon footprint

**Minutes of the Planning Committee
Wednesday 19th April 2023 at 6.00 pm
At Black Country & Marches Institute of Technology,
Zoological Drive, Dudley**

Present:

Councillor D Harley (Chair)
Councillors H Bills, B Challenor, R Collins, P Drake, P Miller, W Sullivan, E Taylor and T Westwood.

Officers:

P Reed (Principal Planning Officer) and J Todd (Development Manager) (Directorate of Regeneration and Enterprise); G Breakwell (Solicitor) and H Mills (Senior Democratic Services Officer) (Directorate of Finance and Legal Services).

Observers:

Approximately 12 members of the public.

61 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors A Goddard and M Westwood.

62 Appointment of Substitute Members

It was reported that Councillors R Collins and T Westwood had been appointed to serve as substitute Members for Councillors A Goddard and M Westwood (respectively), for this meeting of the Committee only.

63 **Declarations of Interest**

No Member made a declaration of interest in accordance with the Members' Code of Conduct in respect of any matter to be considered at this meeting.

64 **Minutes**

Resolved

That the minutes of the meeting held on 8th March 2023, be approved as a correct record and signed.

65 **Plan and Application to Develop**

A report of the Director of Regeneration and Enterprise was submitted on the following plan and application to develop. Details of the plan and application were displayed by electronic means at the meeting.

The following persons were in attendance at the meeting, and spoke on the planning application as indicated: -

<u>Application No.</u>	<u>Objectors/Supporters who wished to speak</u>	<u>Agent/Application who wished to speak</u>
P23/0041	Councillor A Hughes J Richards	M Hammond

Planning Application No. P23/0041 – Edwin Holdens Brewery, George Street, Woodsetton, Dudley – Erection of new Portal Framed Building for B8 use (storage or distribution)

Resolved

That the application be approved, subject to conditions numbered 1 to 9 (inclusive), as set out in the report submitted.

66 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 6.35pm.

CHAIR

PLANNING APPLICATION NUMBER:P21/1233

Type of approval sought	Full Planning Permission
Ward	Gornal Ward
Agent	STOAS Architects Limited
Case Officer	Richard Stevenson
Location:	LAND AT, ZOAR STREET, LOWER GORNAL, DY3 2PA
Proposal	DEMOLITION OF 23 & 25 (EGGINGTONS CHEMIST) ABBEY ROAD AND 7, 8 & 9 ZOAR STREET. ERECTION OF 1 NO. RETAIL STORE AND PHARMACY (E(A)) WITH ASSOCIATED ACCESS, CAR PARKING, SERVICING AND LANDSCAPING.
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS AND 106

SITE AND SURROUNDINGS

- 1 The application site is located within Lower Gornal local centre and is located on the north side of Abbey Road and Zoar Street. The site currently consists of No. 23 Abbey Road, a vacant shop, No. 25 Abbey Road, a pharmacy, with associated land to the north and west together with Nos. 7, 8 and 9 Zoar Street and their associated land. These consist of a series 19th century dwellings or former dwellings. The site also includes the south-western corner of the Abbey Street Recreation Ground and former Council maintenance depot.

- 2 To the east of the site is Redhill Primary School and its associated former caretaker house. To the north is the retained area of the recreation grounds and to the north-west are the rear gardens of

dwellings which face onto Abbey Street. To the west of the site is the Zoar Methodist church and a club for retired persons.

- 3 The site generally falls from east to west with highest point being close to the school, and lowest point being to the north-west of the site.
- 4 The site is partly located with the boundary of Gornal Wood local centre, is partly within a designated local park, and partly within an Area of High Historic Townscape Value.

PROPOSAL

- 5 This is a full planning application for the demolition of Nos. 23 and 25 Abbey Road, Nos. 7, 8 and 9 Zoar Street and associated outbuildings and the erection of a 1315m² (net) discount supermarket, a replacement 185m² (net) pharmacy, a new access to Zoar Street, a car park, retaining structures and footpaths.
- 6 The proposed store would be located on the eastern side of the site, extending along the boundary with the school to the east of the site. The store would be single storey with an active frontage to Zoar Street. Servicing would be at the rear of the building.
- 7 The proposed pharmacy would be located towards the south-western part of the site, with the entrance from the northern side of the building. An active frontage would be provided to Abbey Street.
- 8 The access to the wider site would be located between the proposed buildings, and would be service a car park with 120 spaces which would

serve both buildings. Ten of the spaces would be specifically for the proposed pharmacy

- 9 A pedestrian walkway would be provided through site providing direct access from Zoar Street to the park to the north.
- 10 As the site falls away to the west, there is the need to raise up part of the site, most notably in the north-western section in order to provide graded plateau for the car park. Associated with these works is the need for the relocation of the of the pedestrian footpath which provides and access to the park from Abbey Street.
- 11 Highway works to Zoar Street include the provision of a right turn lane and a splitter island/pedestrian refuge in the centre of the proposed access.
- 12 During the course of the application, the site has been extended to the north-west to incorporate an area of land which was formerly used as a Council maintenance depot. Additionally, modifications have been carried out to the proposed car park retaining structure to the north-west of the site in order to ensure appropriate pedestrian visibility to the Abbey Street footpath link to the park.
- 13 The application is supported by a Planning & Retail statement, a Design and Access Statement and Ecological Surveys. The application is also accompanied by a Noise Assessment, an Air Quality Assessment and a Transport Assessment.

HISTORY

APPLICATION NO.	PROPOSAL	DECISION	DATE
SD/65/3289	Extension of existing Shop Premises with Mess Room and Toilets	Granted	18//5/1965
91/50875	Erection of Workshop Store Rooms and covered Parking Area	Withdraw	23/7/1991
91/52069	Erection of Workshop Store Rooms and covered Parking Area	Granted	27/2/1992
97/50264	Variation of Condition 2 of Planning Consent 91/52069 to Renew Consent for a further Five Years for New Offices and Workshop	Granted	20/3/1997
P03/0603	Residential and Retail Development (Outline)	Granted	17/11/2005

PUBLIC CONSULTATION

14 254 letters of objection received, following consultation with 66 adjoining neighbours, the posting of a site notice and the publication of an advert within a local newspaper. Main issues raised:

- Loss of Park
- Loss of green space
- Loss of trees
- Impact to wildlife
- No need for store. Many supermarkets in the area

- Impact to business in centre
- Impact to school – traffic, picks ups, noise, construction, safety
- Increase in traffic congestion
- Increase in HGVs
- Noise, light and air pollution - impact to health, dust
- Design not in keeping
- Disruption from construction
- Increase in anti-social behaviour – particular concern retaining structures and footway
- Trees were planted in 2000 as part of the millennium forest
- Deed in place in which requires retention of trees for 25 years
- Deed in place which requires park to be used for “public walking and as “pleasure grounds”
- Insufficient retail impact assessment
- health check insufficient and COVID
- Loss of children’s equipment
- Noise from cars, i.e. doors, radios.
- Park was an important space during COVID.
- Impact to Methodist church

A petition with 228 signatories objecting to the proposal has been received raising no additional planning issues beyond those listed above.

19 additional objections were received but cannot be taken into account as they have not duly been made.

15 49 letters of support received. Main issues raised:

- Will improve shopping area
- Provides discount supermarket for those without a car
- Existing store in centre is too expensive
- Will improve appearance
- Will help address ASB
- Creation of jobs
- New parking
- More choice
- Park would be opened up
- Will increase footfall
- Would like to see traffic calming
- Will be able to park next chemist
- Should be more than a supermarket
- Store will have proper loading

One additional letter of support received but cannot be taken into account as not duly made.

16 One letter received from a ward Councillor. Main issues raised:

- Will regenerate centre
- Remove school traffic
- Offers competition
- Provide public toilets
- Provides new pharmacy
- Concerned that no more land will be taken from the park

OTHER CONSULTATION

- 17 Head of Planning (Highway Engineer): No objection in principle.
- 18 Head of Planning (Land Contamination Team): No objection subject to conditions.
- 19 Environmental Safety and Health: No objection from an air quality point of view and the dust suppression statement contained with the submitted assessment can be conditioned. The revised site plan makes provision for the installation of an acoustic fence on a small section of the northern boundary adjacent the proposed plant area which should be sufficient. The delivery hours that were proposed have been reduced to that which is accepted as reasonable
- 20 Head of Street, Greencare and Amenity Services: Concerns about impact to and loss of public open space. Latest version of plans show an additional encroachment into the park (approx. 300m²). Have worked with the community and friends of the park to invest and improve this facility for the local community. These improvements have been extremely successful and welcomed by the park users. Although the area of park lost to the development equates to approximately 12% of the total park, in real terms it is approximately 20% of the total grassed area, which the majority of park users utilise the most.
- 21 Lead Local Flood Authority: No objection subject to conditions.
- 22 Severn Trent Water: No objection subject to conditions.

- 23 West Midlands Police: No objection in principle. Notes the positioning of the checkouts at the front of the building and being by the window provides for natural surveillance. Considers car park should be closed at night and footpath through site also closed after hours. Lighting to car park should be left on all night.
- 24 Coal Authority: No objection subject to conditions.
- 25 Sport England: No objection. The proposed development will not affect the existing sports pitches within the central part of recreation ground.
- 26 Birmingham and Black Country Wildlife Trust: Object. The park is a Potential Site of Importance (PSI) (PSIs are areas which have potential for ecological value but have not been assessed. The PSI should be assessed as if it is SINC or SLINC. Loss of community park and green infrastructure and resulting impact this has on amenity and ecology.

It should be noted that the Trust were consulted on the initially proposed Badger mitigation proposals and considered them to be inadequate.

RELEVANT PLANNING POLICY

- National Planning Guidance

National Planning Policy Framework (Revised 2021)

Technical Guidance to the National Planning Policy Framework (2012)

Planning Practice Guidance (2014)

Community Infrastructure Levy Regulations (as amended) (2014)

- Black Country Core Strategy (2011)
 - CSP2 Development Outside the Growth Network
 - CSP3 Environmental Infrastructure
 - CSP4 Place Making
 - DEL1 Infrastructure Provision
 - CEN1 The Importance of the Black Country Centres for the Regeneration Strategy
 - CEN2 Hierarchy of Centres
 - CEN5 District Centres and Local Centres
 - CEN6 Meeting Local Needs for Shopping and Services
 - CEN7 Controlling Out-of-Centre Development
 - CEN8 Car Parking in Centres
 - TRAN2 Managing Transport Impacts of New Development
 - TRAN4 Creating Coherent Networks for Cycle and for Walking
 - TRAN5 Influencing the Demand for Travel and Travel Choices
 - ENV 1 Nature Conservation
 - ENV 2 Historic Character and Local Distinctiveness
 - ENV 3 Design Quality
 - ENV 5 Flood Risk, Sustainable Drainage Systems and Urban Heat Island
 - ENV 6 Open Space, Sport and Recreation
 - ENV 7 Renewable Energy
 - ENV 8 Air Quality
- Dudley Borough Development Strategy (2017)
 - S1 Presumption in favour of Sustainable Development

S2 Planning for a Healthy Borough
 S3 Renewable Energy
 S4 Flood Risk
 S5 Minimising Flood Risk and Sustainable Drainage Systems (SuDS)
 S6 Urban Design
 S7 Landscape Design
 S8 Conservation and Enhancement of Local Character and Distinctiveness
 S11 Buildings of Local Historic or Architectural Importance
 S12 Areas of High Historic Townscape Value (AHHTV)
 S17 Access & Impact of Development on the Transport Network
 S18 Cycling
 S19 Dudley Borough's Green Network
 S21 Nature Conservation Enhancement, Mitigation and Compensation
 S22 Mature Trees, Woodland and Ancient Woodland
 S29 Public Open Space
 S31 Children's Play Areas
 S32 Parks
 S33 Playing Fields
 L11 Parking in Town Centres
 L12 Shop Front Security
 D1 Access for All
 D2 Incompatible Land Uses
 D3 Contaminated Land
 D4 Unstable Land
 D5 Noise Pollution
 D6 Light Pollution

- Supplementary Planning Guidance/Documents

Access for All Supplementary Planning Document

CIL Charging Schedule (2015) (updated 2017)

Design for Community Safety Supplementary Planning Guidance (2002)

Historic Environment Supplementary Planning Document (2017)

Nature Conservation Supplementary Planning Document (2016)

Open Space, Sport and Recreation Provision Supplementary Planning Document (2007)

Parking Standards Supplementary Planning Document (2017)

Planning Obligations Supplementary Planning Document (2016)

Shopfront and Advertisement Supplementary Planning Document (2017)

ASSESSMENT

27 The main issues are

- Principle – Retail Impact
- Principle – Part Loss of Abbey Street Recreation Ground
- Design
- Neighbour Amenity
- Access and Parking
- Nature Conservation
- Trees
- Flood Risk
- Geotechnical
- Planning Obligations
- Financial Material Considerations
- Other Matters

Policy – Retail Impact

- 28 The proposed discount food store comprises 1786m² (gross) (E(a) Use Class) retail floorspace and is located mostly within the boundary of Gornal Wood Local Centre, as designated in the Dudley Borough Development Strategy (DBDS). It should also be noted that that part of the site within the Local Centre is identified as a redevelopment opportunity within the DBDS.
- 29 Black Country Core Strategy (BCCS) Policy CEN5 (District and Local Centres) requires that any proposed convenience retail development above a threshold of 500m² (net) within a District or Local Centre will need to demonstrate that it is of an appropriate scale to the function of centre and would not undermine the vitality and viability of other centres.
- 30 Within the supporting Planning Statement (March 2021), the applicants have applied Policy CEN5 by seeking to evidence that the proposed store is of an appropriate scale for Gornal Wood Local Centre and by providing a Retail Impact Assessment to address any potential impact on nearby centres.
- 31 With regard to the appropriateness of the scale of the proposed in relation to the function of this Local Centre, the applicants state that it will enhance its vitality and viability: they evidence a +126% post-impact convenience goods turnover at the centre by 2025, and anticipate that a proportion of customers making the trip to the new Aldi store, who formerly visited larger and discount food stores further away, will potentially visit other stores within the local centre to complete their food shopping, purchase other convenience items and/or use other services (such as the Post Office, dry cleaners and pharmacy), and that, consequently, it is likely that the store will generate positive spin-off benefits for the centre, in addition to increasing the strength of its convenience goods offer.

- 32 These conclusions are largely concurred with. whilst, with reference to the 500m² threshold set out in BCCS Policy CEN5, there is an argument that the scale of the proposed store is large for a Local Centre, this has to be weighed against the potential increase in the vitality and viability of Gornal Wood Local Centre which will result from the development of this store, particularly with regard to linked trips to other shops and facilities located there.
- 33 With regard to retail impact, the submitted Retail Impact Assessment addresses planned commitments and the impact on existing centres within a 0-5 minute Primary Catchment Area (PCA), which captures the following centres: Gornal Wood Local Centre (containing the application site), Upper Gornal Local Centre, Pensnett Local Centre and Sedgley District Centre.
- 34 The applicants summarise their assessment as the proposal having no threat to commitments and planned investment and no significantly adverse impact on these identified centres: the estimated impacts on the convenience goods turnovers of these centres are -7.1% on Sedgley District Centre and -6.5% on Upper Gornal Local Centre and with no anticipated trade drawn from the limited convenience goods offer of Pensnett Local Centre.
- 35 Firstly, in considering retail impact, as well as the positive benefits towards the enhancement of the centre's vitality and viability likely to result from this proposal, it needs to be recognised that the proposed store is (mostly) within the boundaries of the Local Centre as opposed to out-of-centre, and therefore is helping to sustain a network of vibrant (District and) Local Centres, each offering an appropriate choice of facilities, helping to meet BCCS Spatial Objective 5.
- 36 On this basis, while the PCA is relatively tightly drawn (0-5 minute off-peak travel time) it is considered proportionately appropriate: for instance while the PCA excludes Dudley Town Centre and the

proposed allowance for an additional 5,000m² (net) of convenience retail floorspace there, through the provisions of BCCS Policy CEN4 (Regeneration of Town Centres), it does include the existing Aldi store on Priory Road, which is on the assumption made by the applicants, and largely concurred with, that “like competes with like”, that an out-of-centre store is likely to be impacted upon by the proposal more than the existing stores or the proposed allocation for additional retail floorspace within the town centre.

37 Therefore, the largest diversion of trade resulting from this proposal is evidenced as likely to be from Sedgley District Centre, at -7.1 %, particularly from the Asda store located there. However, on this point, the impact on the total turnover of this centre (as well as the other centres likely to be impacted upon) as a whole (convenience and comparison goods combined) will be significantly lower, and the figure of a -7.1% downturn in convenience retail trade is not considered evidence of the proposal having a significant impact on that centre. In addition, Sedgley District Centre performs relatively well in terms of vitality and viability, with the latest health-check data (2020) revealing only 4 vacant units within that centre and none of these within the protected frontage. It is therefore considered likely to be reasonably resilient to change and any diversion of trade away from it, especially on the basis of the relatively low impact levels which have been forecast.

38 Therefore, in summary on this issue, the proposed retail store, being mainly within the boundaries of Gornal Wood Local Centre, is likely to have positive economic and social benefits for that centre, whilst not having a significant impact on the vitality and viability of nearby centres. It is therefore in accordance with provisions of BCCS Policy CEN5.

Policy – Part Loss of Abbey Street Recreation Ground

39 The proposal will involve the loss of part of a Community Park (Abbey Street Recreation Ground, Gornal), as designated within DBDS Policy

S32 (Parks): the applicants have evidenced the Community Park is currently 3.44 ha and that the proposal would involve the loss of some 0.40ha (12.2%) of it, with the area lost comprising of maintained grassland and a number of trees.

- 40 DBDS Policy S32 states that the Council will protect parks from inappropriate development that would jeopardise their existing and future role, function, and setting and is committed, in consultation with the local community, to maintain and where possible, improve and upgrade them to a standard appropriate to their identified function.
- 41 As the Community Park contains sports pitches, DBDS Policy S33 (Playing Fields) is also relevant. However, on this, it is acknowledged that these pitches will be not encroached upon by the proposed development and therefore the provisions of this policy cannot be reasonably applied. Moreover, Sport England have raised no objection.
- 42 An assessment on this issue therefore needs to focus on the application of Policy S32, specifically the degree to which the loss of part of this park, as proposed, would jeopardise its existing and future role, with particular reference to:-
- para 98 of the NPPF which states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change
 - para 99 of the NPPF, which states that existing open space should not be built upon unless specified criteria can be met, including that the loss would be replaced by equivalent in terms of quantity and quality
 - BCCS Policy ENV6 (Open Space, Sport and Recreation) which states that development which would reduce the overall value of the open space, sport and recreation network will be resisted, and the criteria set out in the NPPF, and

- DBDS Policy S29 (POS) which states that development proposals which impact on POS will be assessed against the criteria which inform on the value of such areas as set out in ENV6
- 43 In terms of accessibility, the Dudley Open Space Review (2019) rates the Abbey Street Recreation Ground as being of lower quality/lower value and identifies alternative publicly accessible Community Park provision within a 1km (12-15 minute walking time) at Milking Bank, with that area of Public Open Space (POS) rated as higher quality/higher value.
- 44 Whilst that alternative Community Park is not easily accessible from Abbey Street Recreation Ground, it does indicate that the wider area is reasonably served by this form of publicly accessible POS. It should also be borne in mind that, the proposal is for the redevelopment of only part of this POS rather than the loss of all of it, which places less emphasis on the need for alternative provision to be available and the need for the development to provide commuted sum payments to substantially upgrade other nearby areas of POS.
- 45 It is considered that instead, the focus from the Open Space Review should be on the lower quality/lower value rating given to the Abbey Street Recreation Ground, and thereby, through the provisions of para 99 of the NPPF in particular, how the residual area of POS, amounting to 3.02 ha or 87.8% of the current area, can be substantially upgraded so that it achieves a higher quality/higher value rating.
- 46 The applicants have therefore offered to provide mitigation and enhancement to the recreation ground (which would be controlled through a unilateral undertaking) which includes,
- Resurfacing of the junior play area
 - Green painted metal railing fencing approx. 2m high around the youth centre car park

- Resurfacing the park entrance off Abbey Street
- Welcoming boards to the park.
- 4 No. DDA compliant picnic benches
- 4 No. New Litter Bins
- Illuminated bollards along the paths from Abbey Street and behind the club, maybe 10 No. total
- CCTV with a fixed link to the library to connect with Councils monitoring system
- Pathway improvements on the former paddock area
- Badger Sett relocation and mitigation
- Construction of a direct footpath link between store car park north pedestrian entrance and Abbey Street (between Nos. 24 and 25 Abbey Street)

- 47 Additionally in the planning balance, the applicants have evidenced that the proposal will lead to the creation of between 30 and 50 new full time and part time jobs, which, subject to this being a requirement through the auspices of BCCS Policy EMP5 (Improving Access to the Labour Market) in the event that the proposal is determined favourably, will benefit the local community.
- 48 This contribution and these measures referred to above in relation to mitigation and enhancement, including evidence of a wider community benefit to the centre and locality in general, are considered adequate to outweigh and thereby compensate for the loss of part of this POS, in particular in improving the quality of this (residual) area of POS from its current low quality/low value rating.
- 49 In summary, given the above analysis of this issue, and subject to the contribution/measures offered by the applicants being set as a requirement, on balance, it is considered that the loss of part of this

Community Park can be justified and consequently, the proposal considered policy compliant, with particular reference to DBDS Policy S32 and para 99 of the NPPF.

Design

- 50 The application site is partly located within an Area of High Historic Townscape Value and adjoins two non-designated heritage assets, Redhill School to the east and the Zoar Methodist Church to the west. The latter is locally listed, therefore, BCCS Policy ENV2 and DBDS Policies S8, S11 and S12 are of relevance.
- 51 The site also includes five buildings for demolition which include single storey “temporary” shops dating from the interwar period and three late 19th century dwellings. Whilst these buildings are of some interest, they are not of significant or exceptional architectural interest. Moreover, these buildings are surrounded by areas of underused or derelict land which detracts from their setting. Therefore, there is no objection to their demolition.
- 52 With regard to the replacement buildings, these will be located towards the front of site facing onto Zoar Street and Abbey Road, both having active frontages facing onto the respective roads.
- 53 The main store would be single storey with a dual pitched asymmetric roof giving the building a contemporary feel. The elevation to the car park (west) would include the main entrance door and high-level clearstory windows again providing an active frontage. To the rear of

the building would be the service area. The building would be finished in brick which would reflect the materials to adjoining buildings.

- 54 The pharmacy building would also be of contemporary design and be finished in brick. Whilst its entrance would be to the rear, glazing has been proposed to the road facing elevation to allow for an active frontage.
- 55 The siting of the buildings is considered to be acceptable and provides enclosure to Zoar Street and Abbey Road which is an important part of the character of Lower Gornal where development generally faces onto the highway. The use of facing brick is considered to complement the adjoining traditional buildings such as the school and Methodist church. The slight set back on both buildings would provide for a planting area.
- 56 The overall design, scale and appearance of both buildings are considered to be acceptable in context and would have no adverse impact on the adjoining non-designated heritage assets or the setting of the Area of High Historic Townscape Value.

Neighbour Amenity

- 57 The site is proximate to other nearby uses, including residential properties to the north. In terms of physical impact, the buildings within the site are considered to be sufficiently distant such as to not have any direct impact upon privacy, light or outlook. There are no concerns in relation to the school or the adjoining church and it should be noted that

the former caretakers house to the school is no longer used for residential purposes.

- 58 Concerns have been raised regarding potential noise and disturbance arising from the loading area and proposed plant which are located at the rear of the building and the impact that operation of these facilities could have on the amenity of neighbours to the rear. Additionally, some concerns have been raised about cars manoeuvring within the car park.
- 59 To overcome these concerns the Environmental Health Officer is proposing conditions limiting the hours of deliveries to the site from 0700 to 2300hrs Monday to Saturdays and 0900 to 1800hrs on Sundays and bank holidays, as well as limiting the hours the store can operate to 0800 to 2200hrs Monday to Saturday, and 1000 to 1600hrs on Sundays, which should limit impact upon nearby properties.
- 60 With regard to the proposed plant, an acoustic barrier is proposed, in addition to a condition controlling the noise output, which should reduce any impact upon adjoining neighbours.
- 61 As previously noted, the levels of the site will need to be raised, particularly in the north-western corner of the site to accommodate the graded plateau required for the car park. This element raised the prospect of car headlights shining towards houses in Abbey Street to the north. In order to reduce this impact, the applicants are proposing a 1.2m high barrier indicated on plan, the delivery and retention of which can be controlled through a planning condition.

Access and Parking

- 62 The vehicular access to the site from Zoar Street has been designed with a central splitter given the high footfall due to the close proximity of the school. Off-site works associated with the store include a right turn lane and pedestrian refuge to improve connectivity with the bus station on the opposite side of the road.
- 63 The car park would have a total of 120 spaces. Ten of these spaces would serve the pharmacy specifically.
- 64 The car park would also be available for other users of the town centre as well as being available for parents/guardians to pick up and set down pupils. This is a facility the current school does not have with parents/guardians having to park on street or on other limited off-street car parking in and around the local centre. To ensure that parking is made available for the wider benefit, a similar parking management condition is proposed to that recently imposed at a retail development site in Sedgley.
- 65 The amount of parking for the development has been assessed as part of the submitted Transport Statement and is considered to be adequate, and is comparable with similar sized discount stores which have been permissioned elsewhere in the borough.
- 66 With regard to traffic generation the Transport Statement concludes that that the proposed development has been the subject of a traffic impact scenario (based on assessment of similar stores) which demonstrates

that traffic effects are capable of being accommodated on the local highway network.

- 67 Tracking plans have been submitted with the application which demonstrates that delivery vehicles can enter and leave the site in forward gear. Again, it is considered appropriate as with application at Sedgley that a management plan is in place.
- 68 Concerns raised during the processing of the application in relation to secure by design considerations related to the footway running along the north-western part of the site. Concerns here related to forward visibility around the corners have been overcome by reprofiling the bank to afford better forward visibility and surveillance.
- 69 As the application site includes a small section of highway which will need to be stopped up, an additional recommendation is attached to the end of this report, together with the need to submit a stopping up plan.

Nature Conservation

- 70 The application was submitted with a nature conservation assessment in mid-2021 which included a section on badgers which are a protected under the Protection of Badger Act 1992. In the autumn of 2021, the Councils rangers noticed the presence of potential Badger setts within part of the application site. As such the applicants were asked to revisit the nature conservation assessment from a Badger perspective. The updated survey found additional evidence of Badgers being present, however, offered no solution in relation to on or off-site mitigation. A

further report produced in February 2023 provided two mitigation options of an artificial sett within either the main part of the recreation ground, or in the area between the proposed store car park and the former depot. However, these options were independently assessed by the Birmingham and Black Country Wildlife Trust which considered the two solutions to be unsuitable and unlikely to receive a Natural England License which is required for the closure of badger setts.

- 71 Therefore, a further solution has been found to provide an artificial Badger sett on Council owned land to the north, around 250m away from the application site. This area is currently scrubland, is not mown and has a nature conservation designation. This means the mitigation/relocation can be provided without eroding any further land within the main area of the recreation ground as well as providing the required space. It is proposed to control the delivery and maintenance of the artificial sett through a unilateral undertaking.

Trees

- 72 The proposal will involve the removal of trees to facilitate the proposed development. This includes trees within the existing recreation ground and adjoining land associated with the pharmacy. In relation to the recreation ground, the majority of these trees have been identified within the submitted tree survey as category C or U types and as such have low amenity value. Therefore, their removal can be more easily be agreed.

- 73 Some B category trees will need to be removed or may impacted upon by the development, however, this has to be balanced against the regeneration benefits previously referred to. Therefore, it is considered that suitable replacement trees to the north and north- west of the site can be secured by condition.

Flood Risk

- 74 Due to the scale of the proposed development and in accordance with the NPPF, the BCCS (Policy ENV5) and DBDS (Policy S5), the application has been supported by a Flood Risk Assessment and Drainage Strategy. The LLFA are satisfied that there are no flood risk concerns and that matters relating to sustainable drainage and its future management can be satisfactorily conditioned.

Geotechnical

- 75 No significant concerns have been raised by the Land Contamination Team in relation to the proposed application who are happy for matters relating to land contamination and soil gases to be conditioned.
- 76 In relation to coal mining, the Coal Authority notes the vicinity of two possible entries close to the site and the presence of shallow mining and coal seams affecting the site. However, they are satisfied those matters relating to coal mining can be conditioned.

Planning Obligations

- 77 Black Country Core Strategy (BCCS) Policy DEL1 'Infrastructure Provision' sets out the adopted policy framework for Planning Obligations within Dudley and the Planning Obligations SPD provides further detail on the implementation of this policy; these policy documents were prepared in accordance with national legislation and guidance on planning obligations.
- 78 Policy DEL1 requires all new developments to be supported by sufficient on and off-site infrastructure to serve the development, mitigate its impact on the environment, and ensure that the development is sustainable and contributes to the proper planning of the wider area.
- 79 In determining the required planning obligations on this specific application the following three tests as set out in the Community Infrastructure Levy (CIL) Regulations, in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development;
 - c) fairly and reasonably related in scale and kind to the development.
- 80 Following consideration of the above tests the following planning obligations are required for this application:
- Provision of Junior play area

- Green painted metal railing fencing approx. 2m high around the youth centre car park
- Resurfacing the park entrance off Abbey Street
- Welcome boards to the park.
- 4 No. DDA compliant picnic benches
- 4 No. New Litter Bins
- Illuminated bollards along the paths from Abbey Street and behind the club, maybe 10 No. total
- CCTV with fixed link to library to connect to the Councils monitoring system
- Pathway improvements on the former paddock area
- Badger Sett relocation and mitigation
- Construction of a direct footpath link between store car park north pedestrian entrance and Abbey Street (between Nos. 24 and 25 Abbey Street)

81 It is considered that these contributions meet the necessary tests as stated above in that they contribute to the delivery of a sustainable development, are being provided directly on the development site itself and are deemed to be in scale and kind to the proposed development.

82 This development complies with the requirements of BCCS Policy DEL1 and the Planning Obligations SPD.

83 The applicant has agreed to the provision of these offsite planning obligations at the date of agenda preparation.

Financial Material Considerations

- 84 Section (124) of the Localism Act states that: Local planning authorities are to have regard to material considerations in dealing with applications including any local finance considerations, so far as material to the application. A 'local finance consideration' may be taken to cover the payment of New Homes Bonus, or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy (CIL).
- 85 The section does not change the law in any way. It is not a new basis for planning policy and it remains unlawful for planning permissions to be 'bought'.
- 86 The proposal is liable for CIL at a rate of £112.39 per square metre. Based on a CIL Liable floor space the CIL Charge is calculated at £88,343.04. This on the assumption of the buildings to be demolished have been occupied in the previous three years.
- 87 This money could be earmarked to be spent on improving the strategic infrastructure which is set out on the Regulation 123 list of infrastructure.
- 88 Whilst these are significant sum(s) of money the planning merits of the proposal are acceptable in any event and therefore this is not accorded significant weight.

Other Matters

- 89 Matters have been raised in relation to a covenant attached to the park limiting its use for recreation purposes, as well as the site being used for one of the millennium projects in relation to tree planting. Whilst these may raise issues in relation to whether any resulting permission can be implemented, these matters do not preclude the granting of planning permission should the proposal be acceptable in planning terms.
- 90 Additionally it is known that the park is subject to Fields in Trust Agreement. However, it is understood that the area proposed for development is outside of this area.

CONCLUSION

- 91 The proposed development is acceptable in principle in that part of the site is located within a local centre and that adequate mitigation has been provided in relation to the partial loss of the park as well as considering the regeneration benefits for the local centre. The development provides sufficient parking and servicing and servicing to serve the proposed development. Additionally, the proposed development would have no direct impact on residential amenity in terms of physical impacts and matters such as plant and service and store opening can be controlled through condition. Additionally, the proposed development is of adequate design and the appropriate relocation of protected species has considered in the public interest. Consideration has been given to policies within the Black Country Core Strategy (2013); and the Dudley Borough Development Strategy (2017).

RECOMMENDATION

It is recommended that the application be APPROVED subject to:

- 1) The applicant entering into a unilateral undertaking in relation to providing the requirements outlined at Para. 80 above.
- 2) The following conditions, with delegated powers to the Head of Planning to make amendments to these as necessary
- 3) That the developer be invited to make an application for an Order to the Secretary of State for the stopping up and provision of new highway based on plan 14079-SK2301112.1-A under S247 of the Town and Country Planning Act 1990 to allow development authorised by planning permission to take place. The costs associated with the Order shall be at the developer's expense.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed Site Plan Y11a47 - P003 Rev L
Site Sections Y11a47 - P300 Rev F
Acoustic Timber Fence - Ad5305
Delivery Entrance 02 Drg no.Y11A47-ENT-02E
Delivery Entrance 01 Drg no.Y11A47-ENT-01E
Delivery Exit 01 Drg no.Y11A47-EXIT-01E

Delivery Exit 02 Drg no.Y11A47-EXIT-02E
 Proposed Elevations - Retail Store Drg no.Y11A47-P201A
 Proposed Floor Plan - Retail Store Drg no.Y11A47-P200A
 Colour Elevations - Retail Store Drg no.Y11A47-P202A
 PHARMACY PLAN & ELEVATIONS Y11A47 - P400 Rev A
 Timber Knee Rail Drg no.AD5301 Rev A
 Proposed Colour Elevations Drg no.Y11A47-P202
 Paladin Fence Details Drg no.AD5304 Rev A
 Bow Top Fencing Details Drg no.AD5302 Rev A
 SITE LOCATION PLAN Y11A47 - P001 Rev D
 EXISTING SITE PLAN Y11A47 - P002 Rev D
 Highways stopping up and overlay plan 14079-SK2301112.1-A
 unless otherwise required by conditions attached to this permission.
 REASON: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with authoritative UK guidance.
 REASON: These details are required prior to the commencement of development to ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land.
4. Where the approved risk assessment (required by condition 3 above) identifies contamination posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such contamination has been submitted to and approved in writing by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.
 REASON: These details are required prior to the commencement of development to ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land.
5. Following implementation and completion of the approved remediation scheme (required by condition 4 above) and prior to the first occupation of the development, a verification report shall be

submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

REASON: To ensure that the risks associated with any contamination have been reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land and the NPPF.

6. No development shall commence until an assessment of the risks posed by any ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with authoritative UK guidance.

REASON: These details are required prior to the commencement of development to ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land.

7. Where the approved risk assessment (required by condition 6 above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: These details are required prior to the commencement of development to ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land.

8. Following implementation and completion of the approved remediation scheme (required by condition 7 above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

REASON: To ensure that the risks associated with any ground gases or vapours have been reduced to acceptable levels and that the

health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land and the NPPF.

9. No development shall commence until;
- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

REASON: In the interests of public safety and to comply with BCCS Policy D4

10. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

REASON: In the interests of public safety and to comply with BCCS Policy D4

11. The development hereby permitted should not commence (excluding demolition) until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON: This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution and to comply with BCCS Policy ENV5 (STWA Drainage condition)

12. No development shall commence (excluding demolition, site clearance and initial ground investigation works) until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Those details shall include:

- A timetable for its implementation, and
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime of the development.

None of the development shall be occupied until surface water drainage works have been implemented in accordance with the approved details.

REASON: In the interests of sustainability, reducing flood risk and run off and to comply with Adopted BCCS Policy ENV5 - Flood Risk, Sustainable Drainage Systems and Urban Heat Island (LLFA Drainage condition).

13. No deliveries or despatches shall be made to or from the site, and no delivery or despatch vehicles shall enter or leave the site (whether laden or unladen), before the hours of 06.30 nor after 23:00 Monday to Saturday, and before the hours of 09:00 hours nor after 18:00 hours on Sundays.

REASON: To protect the amenities of nearby residents and comply with DBDS Policy D5.

14. The premises shall not be open to the public before the hours of 08:00 nor after 22:00 Monday to Saturday, and before the hours of 10:00 nor after 16:00 on Sundays

REASON: To protect the amenities of nearby residents and comply with DBDS Policy D5.

15. The rating level of sound emitted from any fixed plant associated with the development, and loading and unloading operations associated with the approved development shall not exceed background sound levels by more than 5dB(A) between the hours of 0700-2300 at any sound sensitive premises, and shall not exceed the background sound level between 2300-0700 at any sound sensitive premises. All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the sound sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the local planning authority.

REASON: To protect the amenities of nearby residents and comply with DBDS Policy D5.

16. The development hereby approved shall not be first used until the acoustic barrier to the external plant area has been provided in accordance with the approved details. The barrier shall thereafter be retained for the life of the development.

REASON: To protect the amenities of nearby residents and comply with DBDS Policy D5

17. No above ground development shall commence until details of electric vehicle charging bays with a vehicle charging point, to be provided in accordance with the Council's standard (Parking Standards SPD) have been submitted and approved in writing by the Local Planning Authority. Such details shall include signs and bay markings indicating that bays will be used for parking of electric vehicles only whilst being charged. Prior to first occupation, the electric charging points and bays shall be installed in accordance with the approved details and shall thereafter be maintained for the life of the development.

REASON: In the interests of creating a sustainable form of development and to encourage the use of ultra low emission vehicles in accordance with Policies ENV8 (Air Quality) and DEL1 (Infrastructure Provision) of the Black Country Core Strategy.

18. No development shall commence (excluding demolition, site clearance and initial ground works) until full details of the soft landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following first occupation of the development. The details shall include design and specification for the tree planting pits, for the trees within the site. Any trees or shrubs planted in pursuance of this permission including any planting in replacement for which is removed, uprooted, severely damaged, destroyed or dies within a period of five years from the date of planting shall be replaced by trees or shrubs of the same size and species and in the same place unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to make a positive contribution to place-making and provide a high quality landscaping in accordance with BCCS Policies CSP4 - Place-Making, ENV 2 Historic Character and Local Distinctiveness, ENV3 - Design Quality and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S6 - Urban Design and Policy L1 Housing Development, extensions and

alterations to existing dwellings and Policy D2 Incompatible Land Uses (in part). This detail is required pre commencement (excluding demolition, site clearance and initial ground works) as landscaping is integral to providing a high quality and sustainable development.

19. The development shall not be first occupied until details of the future management and maintenance of the landscaped areas and trees have been submitted to and approved in writing by the Local Planning Authority. The open space areas shall thereafter be maintained and managed in accordance with the approved details for the life of the development.

REASON: In order to make a positive contribution to place-making and provide a high quality open space is properly maintained in accordance with BCCS Policies CSP4 - Place-Making, ENV 2 Historic Character and Local Distinctiveness, ENV3 - Design Quality and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part) and LR1 - Open Space

20. The car park shall be finished in a permeable or porous surfacing which shall be retained for the life of the development.

REASON: In the interests of sustainable drainage and the long term wellbeing of the trees within the site and comply with BCCS Policy ENV5 and DBDS Policy S22.

21. The development shall not be occupied/used until the staff and visitor cycle storage has been provided in accordance plans and shall thereafter be retained and maintained for no other purpose for the life of the development.

REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings

Policy D2 Incompatible Land Uses (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

22. Prior to first occupation all redundant dropped kerbs should be replaced with matching full height kerbs and the adjacent Highway made good.

REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings

Policy D2 Incompatible Land Uses (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

23. The development shall not be used until details of the management of the car park (including time limits, time for re-entry to the car park, details of any cameras etc) have been submitted to and approved in writing by the Local Planning Authority. The car park shall thereafter be managed in accordance with the approved details. REASON: To ensure the car park is available for shoppers using the rest of the town centre and parents and guardians picking up and setting children for the adjoining schools and to comply with BCCS Policy TRAN2.
24. The development shall not be occupied until details of the access(es) into the site, together with parking and turning area(s) [including details of lines, widths, levels, gradients, cross sections, drainage and lighting] have been submitted to and approved in writing by the Local Planning Authority. No occupation will take place until the access(es) into the site, together with parking and turning area(s) within the site have been laid out in accordance with the approved details. These area(s) shall thereafter be retained and not be used for any other purpose for the life of the development REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.
25. The development hereby approved shall not be first occupied until the fence along the western and north western edge of the car park has been provided in accordance with the approved plans. The fence shall thereafter be retained and maintained for the life of the development. REASON: To prevent vehicular headlights shining into the dwellings to Abbey Street and to comply with DBDS Policies D2 and D6.
26. The development shall not be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority, including details of a Travel Plan Co-ordinator, Staff Travel Survey, Car Parking Management, Public Transport, Walking and Cycling initiatives, Publicity and Marketing, Set targets and monitoring and to join Company Travel Wise in Dudley together with a timetable for the implementation of each such element. The Travel Plan shall be implemented in accordance with the details approved by the local planning authority and remain operational for the life of the development. REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy

L1 Housing Development, extensions and alterations to existing dwellings

Policy D2 Incompatible Land Uses (in part)

and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

27. The development shall be constructed in accordance facing materials shown on the approved plans unless otherwise agreed in writing by the local planning authority,

REASON: To ensure the satisfactory appearance of the development and to comply with BCCS Policy ENV2.

28. The demolition and construction of the development shall proceed in complete in accordance with Section 7 of Air Quality Assessment report by BWB report reference MCP2326.

REASON: In the interest of amenity and air quality and to comply with Policy ENV8 of the BCCS.

29. Notwithstanding the details submitted with the application no development shall commence (excluding demolition, site clearance and initial ground works) until details of nature conservation enhancement and mitigation works have been submitted to and approved in writing by the Local Planning Authority. The nature conservation enhancement and mitigation works shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.

REASON: In order to enhance, encourage and protect the nature conservation value of the site and in accordance with BCCS Policies ENV1 - Nature Conservation, CSP3 Environmental Infrastructure and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S21 Nature Conservation Enhancement, Mitigation and Compensation

Policy S20 The Borough's Geology (in part)

Policy S1 Presumption in favour of Sustainable Development (in part) and

Policy S21 Nature Conservation Enhancement, Mitigation and Compensation (in part)

Policy S19 Dudley Borough's Green Network (in part)

Black Country Core Strategy Policy ENV1 Nature Conservation (in part)

This detail is required pre commencement (excluding demolition, site

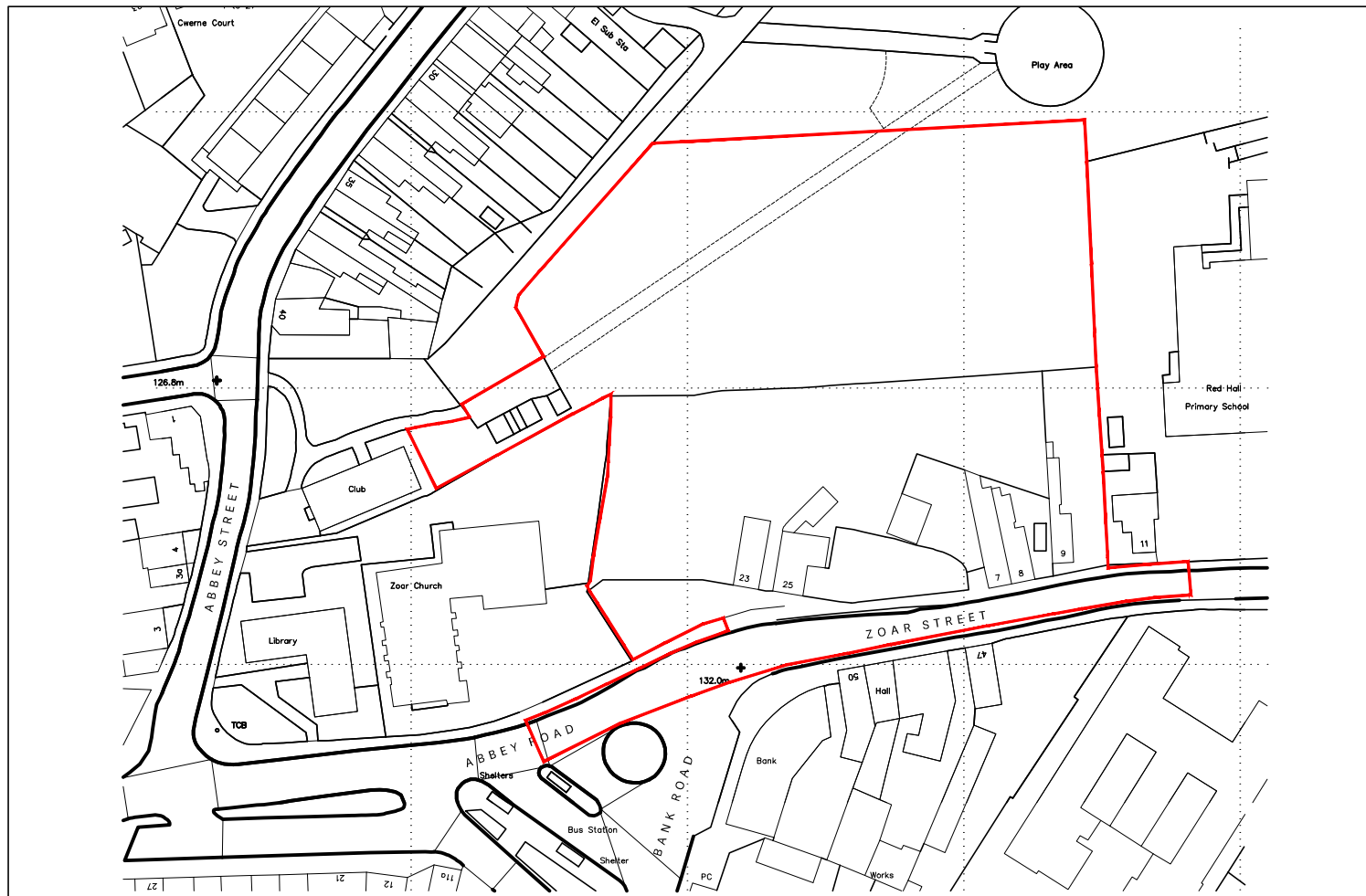
clearance and initial ground works) in that the required works may need to be incorporated into buildings on the site.

30. No development shall commence (excluding demolition of 23 and 25 Abbey Road and 7, 8 and 9 Zoar Street)) until a badger licence is obtained from Natural England which shows the replacement sett to be installed prior to closure of the existing sett. All development shall be undertaken in strict accordance with the mitigation agreed with Natural England under the approved badger licence. No development shall commence which would affect development affecting badgers until a copy of the agreed badger licence will be provided to the LPA

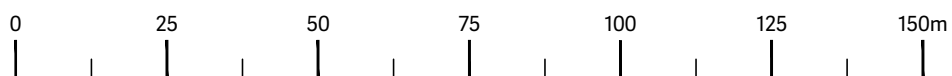
REASON: To ensure an adequate replacement facility is provided and to comply with DBDS Policy S21.

31. The servicing, delivery and despatch of goods to/from the store shall be carried out in complete accordance with the approved Delivery Management Plan V1 received May 2023 for the life of the development.

REASON To protect amenity and comply with DBDS Policy D5.



SITE AREA	7865 sq m	1.9 acres
APPLICATION RED LINE BOUNDARY AREA		



Scale 1:1250

STOAS Architects Ltd
PLANNING

D	Application red line boundary updated	28-10-2022	SPK	SB
C	Boundary adjacent to the new pedestrian link slightly amended to include the small triangle of land to the west of the site	15-07-2021	SPK	SB
B	Do not scale removed from sheet	09-07-2021	SPK	SB
A	Application Red line Boundary added and annotated.	05-02-2021	SPK	SB
Revision	Description	Date	Drawn	Checked

CLIENT ALDI STORES LIMITED

PROJECT ZOAR STREET,
LOWER GORNAL DY3 2PA

TITLE SITE LOCATION PLAN



STOAS
ARCHITECTS

THE LODGE - COLESHILL MANOR - BIRMINGHAM - B46 1DL - TEL 0121 747 1943
1 DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 8NL - TEL 01246 389 860

SCALE 1:1250 @ A4 DRAWN SPK

DATE APRIL 2020 CHECKED SB

NORTH



DWG No.

Y11A47 - P001

REV

D



SITE AREA	-----	7865 sq m	1.9 acres
-----------	-------	-----------	-----------

APPLICATION RED LINE BOUNDARY AREA	---		
------------------------------------	-----	--	--

D	Red line application boundary updated.	28-10-2022	SPK	SB
C	Boundary adjacent to the new pedestrian link slightly amended to include the small triangle of land to the west of the site	15-07-2021	SPK	SB
B	Do not scale removed from sheet	09-07-2021	SPK	SB
A	Application Red line Boundary added and annotated. Scale revised to 1:250	05-02-2021	SPK	SB
Revision	Description	Date	Drawn	Checked

STOAS Architects Limited
PLANNING ISSUE

STOAS / **ALDI**
ARCHITECTS

THE LODGE - COLESHILL MANOR - BIRMINGHAM - B46 1DL - TEL 0121 747 1943
3 DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 8NL - TEL 01246 389 865

CLIENT **ALDI STORES LIMITED**

PROJECT **ZOAR STREET, LOWER GORNAL, DUDLEY**

TITLE **EXISTING SITE PLAN**

DATE **27-01-2020** SCALE **1:250 @ A1**

DRAWN **SPK** CHECKED **SB**

NORTH

DWG No. **Y11A47 - P002** REVISION **D**

ALL DOCUMENTS TO BE APPROVED BY THE LOCAL AUTHORITY BEFORE ANY CONSTRUCTION WORK COMMENCES. ANY CHANGES TO THE DESIGN MUST BE APPROVED BY THE LOCAL AUTHORITY BEFORE ANY CONSTRUCTION WORK COMMENCES. THE DESIGN IS THE PROPERTY OF STOAS ARCHITECTS LIMITED. IT IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF STOAS ARCHITECTS LIMITED.

ACCESS ARRANGEMENTS

This statement relates to the access arrangements for the Aldi Food Retail Store and details the arrangements for all modes of transport to and from the store. It also includes details of how level access arrangements are achieved and how the entrance to the store operates. This statement is to be read in conjunction with the separate Design and Access statement.

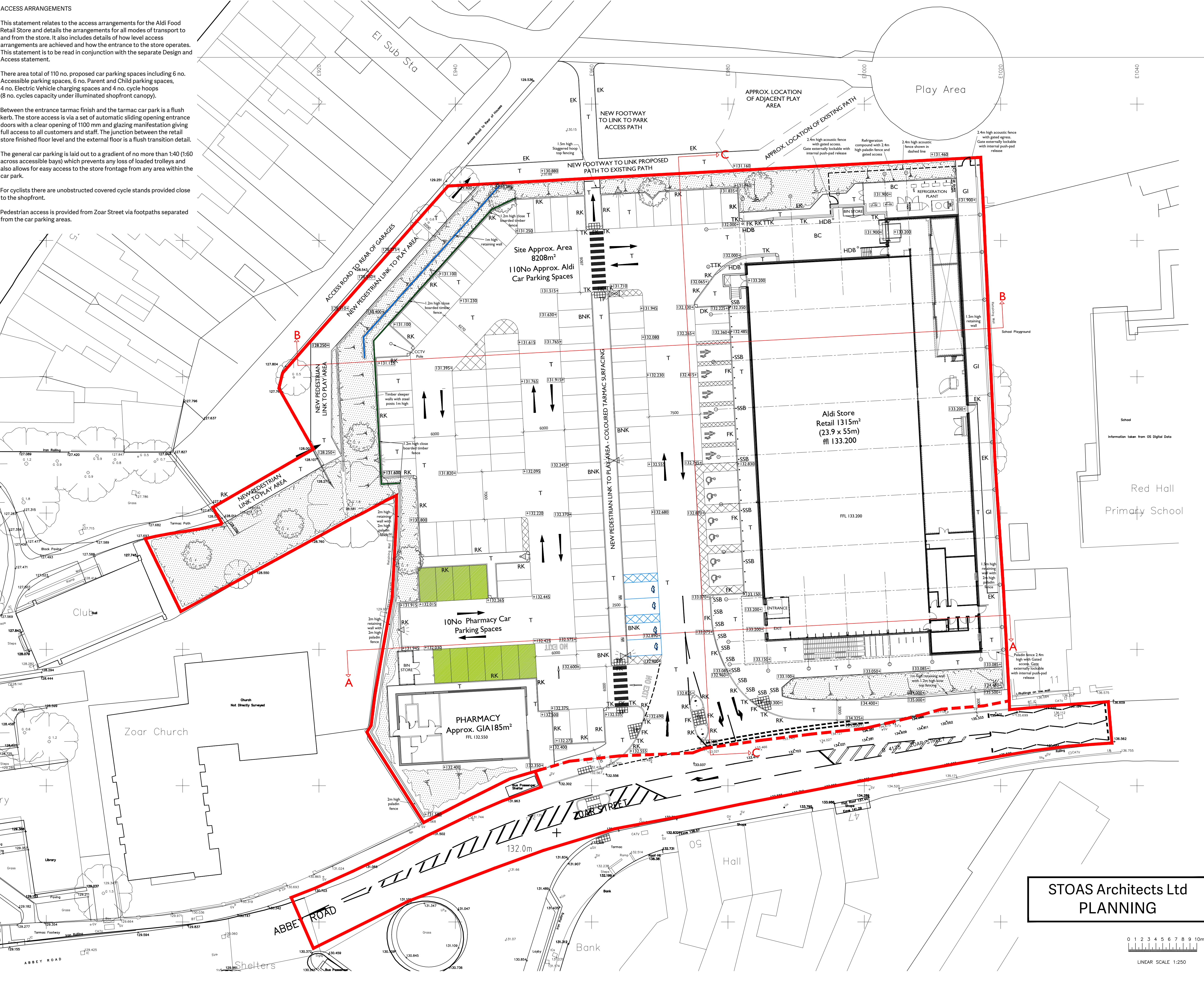
There area total of 110 no. proposed car parking spaces including 6 no. Accessible parking spaces, 6 no. Parent and Child parking spaces, 4 no. Electric Vehicle charging spaces and 4 no. cycle hoops (8 no. cycles capacity under illuminated shopfront canopy).

Between the entrance tarmac finish and the tarmac car park is a flush kerb. The store access is via a set of automatic sliding opening entrance doors with a clear opening of 1100 mm and glazing manifestation giving full access to all customers and staff. The junction between the retail store finished floor level and the external floor is a flush transition detail.

The general car parking is laid out to a gradient of no more than 1:40 (1:60 across accessible bays) which prevents any loss of loaded trolleys and also allows for easy access to the store frontage from any area within the car park.

For cyclists there are unobstructed covered cycle stands provided close to the shopfront.

Pedestrian access is provided from Zoar Street via footpaths separated from the car parking areas.



LEGEND	
RK	RAISED KERB
EK	EDGING KERB
FK	FLUSH KERB
BNK	BULLNOSE KERB
DK	DROP KERB
TK	TRANSITION KERB
TRK	TRIEF (SAFETY KERB) KERB
TTK	TRIEF (SAFETY KERB) TRANSITION KERB
DC	DRAINAGE CHANNEL
G	NEW STORM WATER DRAINAGE GULLY
TL	MARSHALLS CONSERVATION PAVING 450x450x50mm
TP	TACTILE PAVING
BC	BRUSHED CONCRETE
T	TARMAC
SSB	STAINLESS STEEL BOLLARD
HDB	HEAVY DUTY BOLLARD
TB	TELESCOPIC BOLLARDS AT SITE ENTRANCE

	SINGLE LIGHT LIGHTING COLUMN
	DOUBLE LIGHT LIGHTING COLUMN
	EXISTING TREE
	NEW TREE
	LOW LEVEL LANDSCAPING
	PROPOSED LEVEL
	EXISTING LEVEL

ALDI CONCEPT 2 - MODIFIED		
GROSS EXTERNAL AREA (GEA)	1844 sq m	19,849 sq ft
GROSS INTERNAL AREA (GIA)	1786 sq m	19,224 sq ft
RETAIL AREA	1315 sq m	14,154 sq ft
WELFARE AREA (including Plantroom)	121 sq m	1,302 sq ft
WAREHOUSE (including Loading Bay and Freezers)	341 sq m	3,670 sq ft
PHARMACY		
GROSS INTERNAL AREA (GIA)	186 sq m	2,002 sq ft
GROSS EXTERNAL AREA (GEA)	203 sq m	2,185 sq ft
SITE AREA		
ALDI CAR PARK SPACES (2.5m x 5.0m) Including Disabled, Parent & Child, and Electric Vehicle Charging Points.	110No	2.03 acres
PHARMACY CAR PARK SPACES		
	10No	
APPLICATION RED LINE BOUNDARY AREA	9232 sq m	2.28 acres

L	Acoustic Timber fence repositioned and extended around external plant adjacent to park	23-11-2022	SPK	SB
K	Close boarded timber fence added to car park boundary with pedestrian link.	28-10-2022	SPK	SB
J	New footpath at north of site to connect two park access footpaths. Acoustic fence added north of Plant Compound. External Plant updated to latest layout. Retaining wall/raised kerbs to sides of Loading Bay omitted and replaced with Safety Kerbing. Raised kerbs omitted from rear of Accessible and Parent/Child parking bays and flush kerbs and bollards provided in lieu. Underfloor heating manifold moved inside. Paving to fire escape route to rear of store minimised with remainder of surfacing to rear of store now in gravel. Central pedestrian route revised to bullnosed kerbing with coloured tarmac surfacing. Criblok wall to western boundary omitted - levels and car park layout revised to allow provision of timber sleeper wall in lieu. Extent of red line to west of site increased. Street lamp at site entrance moved to central parking bays.	12-08-2022	pH.w	SB
H	Footpath to front of store, adjacent to Zoar Street increased to 3m wide	20-09-2021	SPK	SB
G	Boundary adjacent to the new pedestrian link slightly amended to include the small triangle of land to the west of the site	15-07-2021	SPK	SB
F	Do not scale removed from sheet	09-07-2021	SPK	SB
E	Application Red line Boundary added and annotated. Scale revised to 1:250	05-02-2021	SPK	SB
D	Electric vehicle charging points and additional notes added	25-01-2021	SPK	SB
C	Central pedestrian link to park added, car park revised to suit. Retaining wall revised adjacent to link to park.	03-12-2020	SPK	SB
B	Existing Play area indicated	15-06-2020	SPK	SB
A	Car spaces reduced to 114	28-05-2020	MS	SB
Revision	Description	Date	Drawn	Checked



THE LODGE - COLESHILL MANOR - BIRMINGHAM - B46 1DL - TEL 0121 747 1943
DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 1NL - TEL 01246 389 800

CLIENT ALDI STORES LIMITED

PROJECT ZOAR STREET, LOWER GORNAL, DUDLEY

TITLE PROPOSED SITE PLAN

DATE 30-04-2020 SCALE 1:250 @ A1

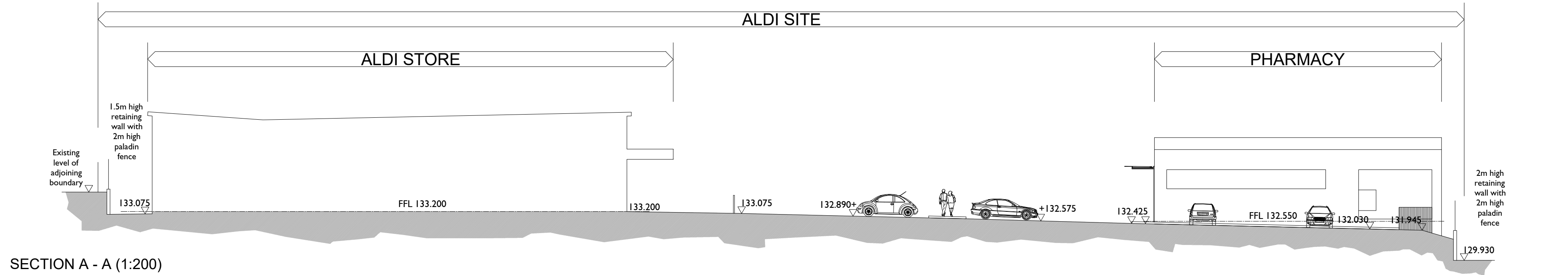
DRAWN SPK CHECKED SB

DWG No. Y11A47 - P003 REVISION L

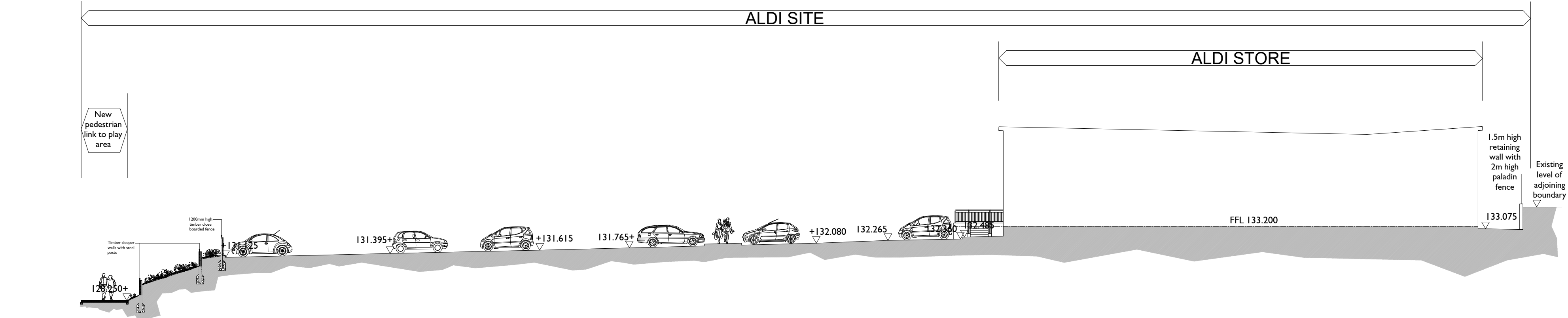
NORTH

LINEAR SCALE 1:250

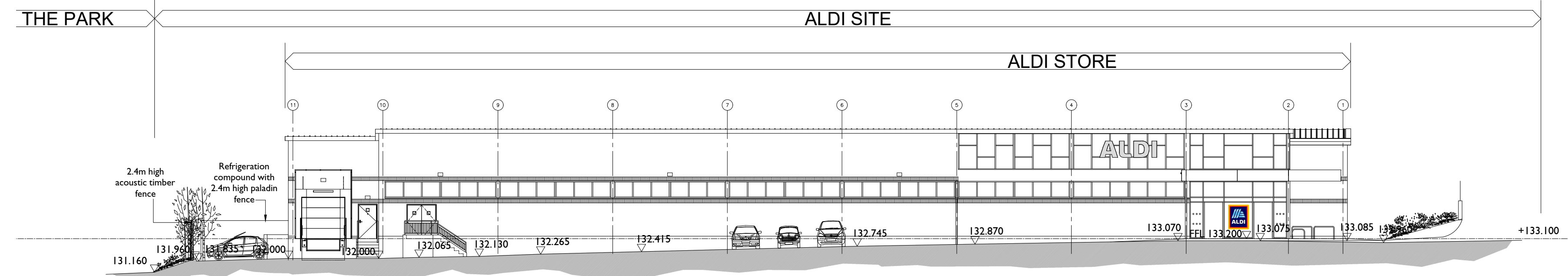
ALL INFORMATION IS GIVEN AS BELIEVED AND IS NOT GUARANTEED. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE INFORMATION PROVIDED. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE INFORMATION PROVIDED. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE INFORMATION PROVIDED.



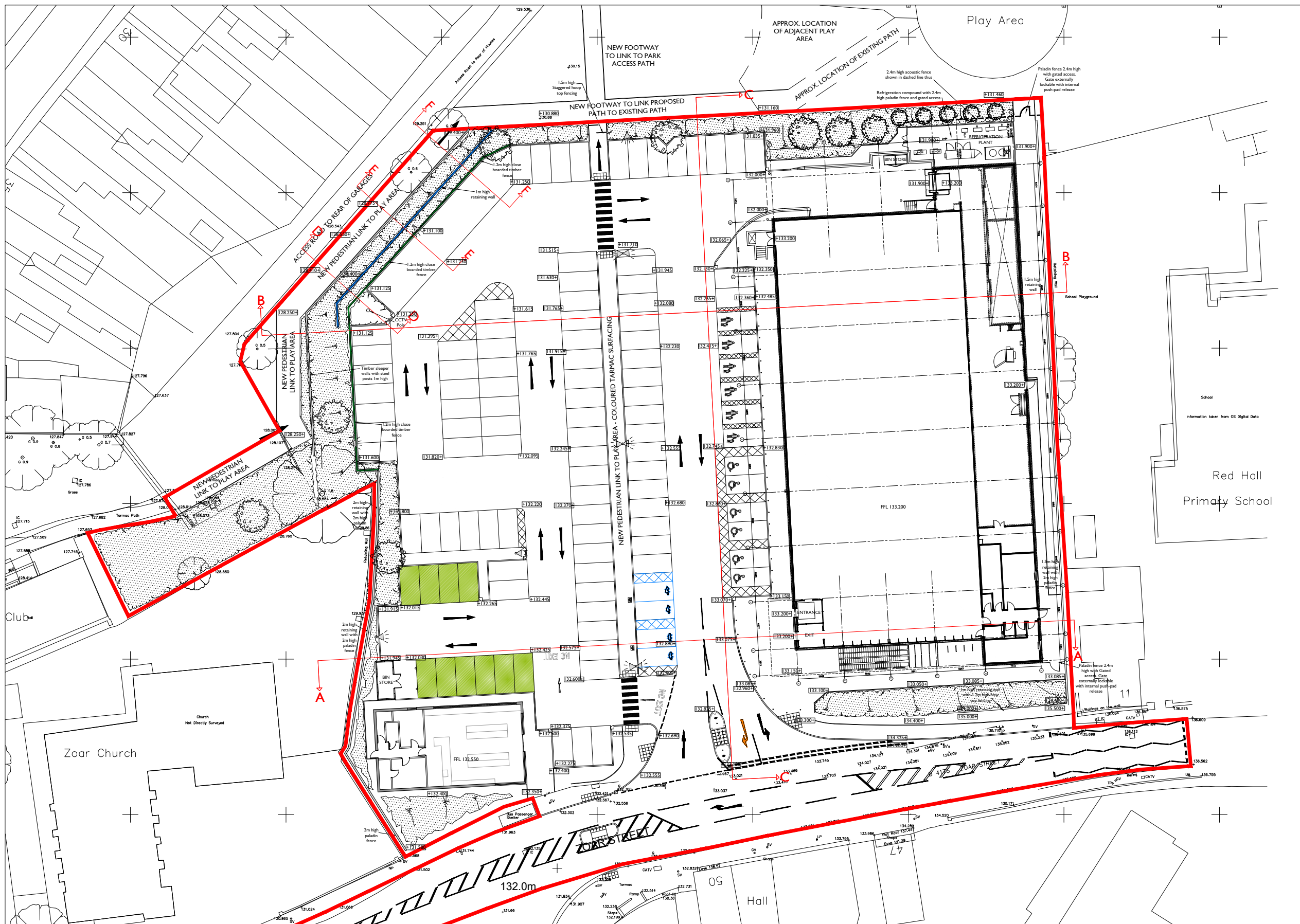
SECTION A - A (1:200)



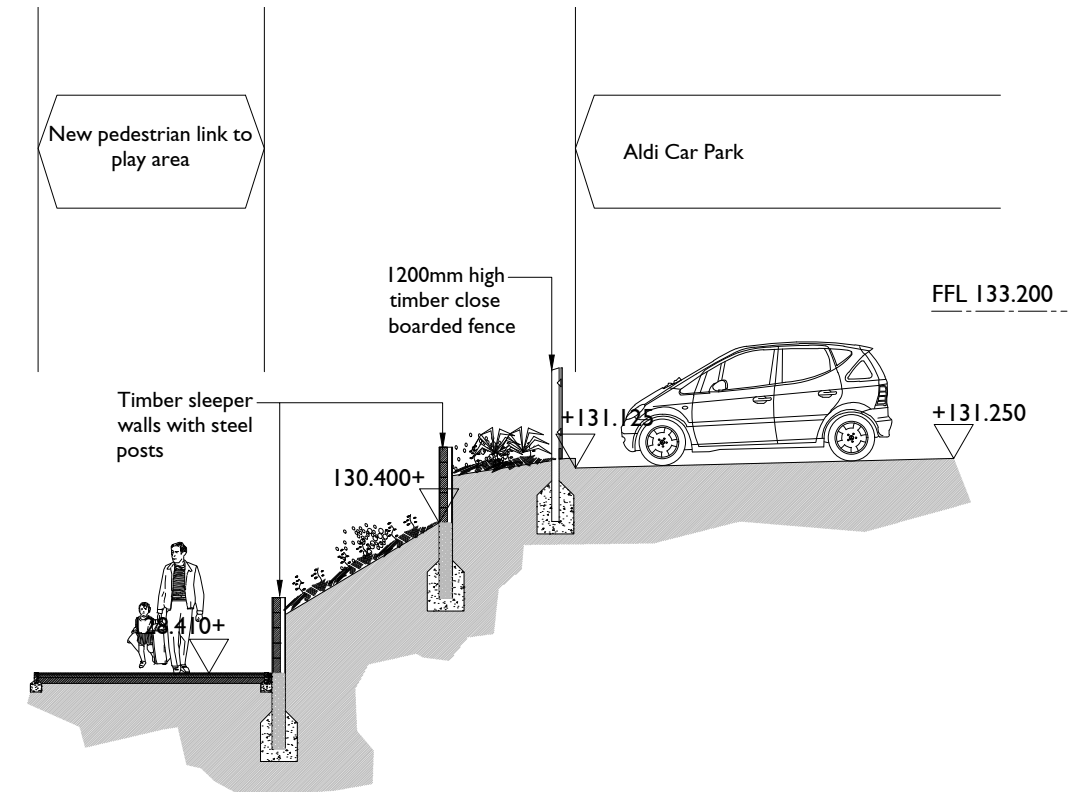
SECTION B - B (1:200)



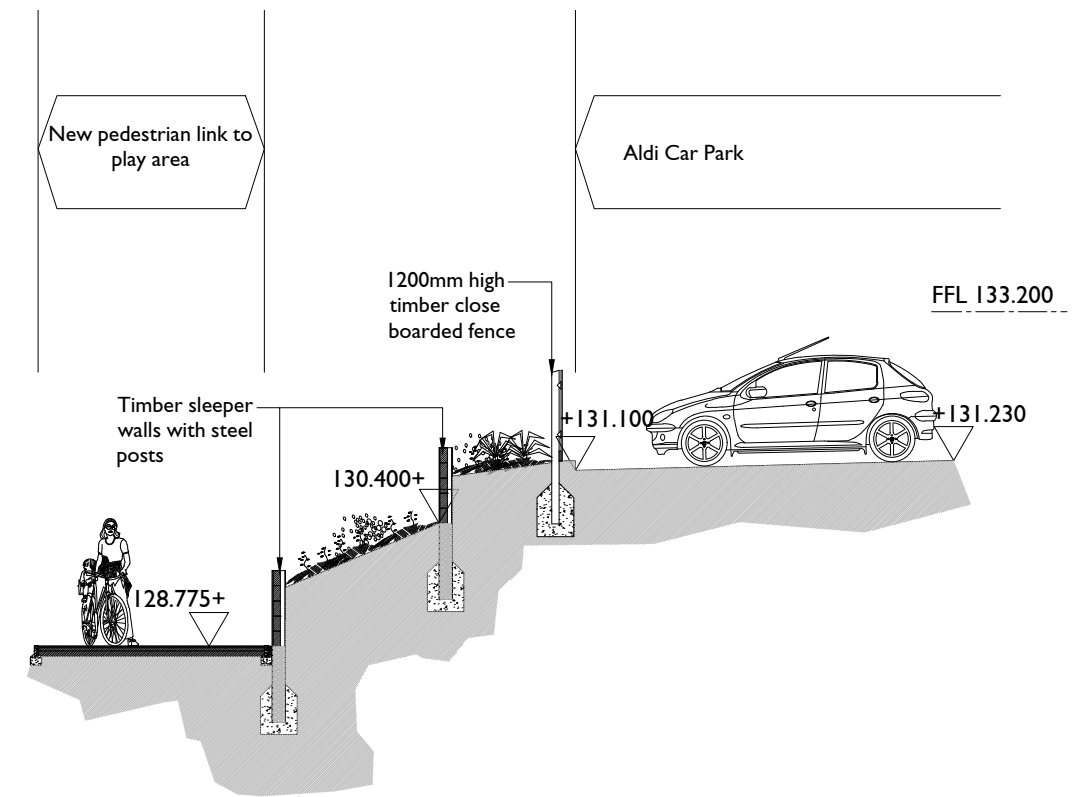
SECTION C - C (1:200)



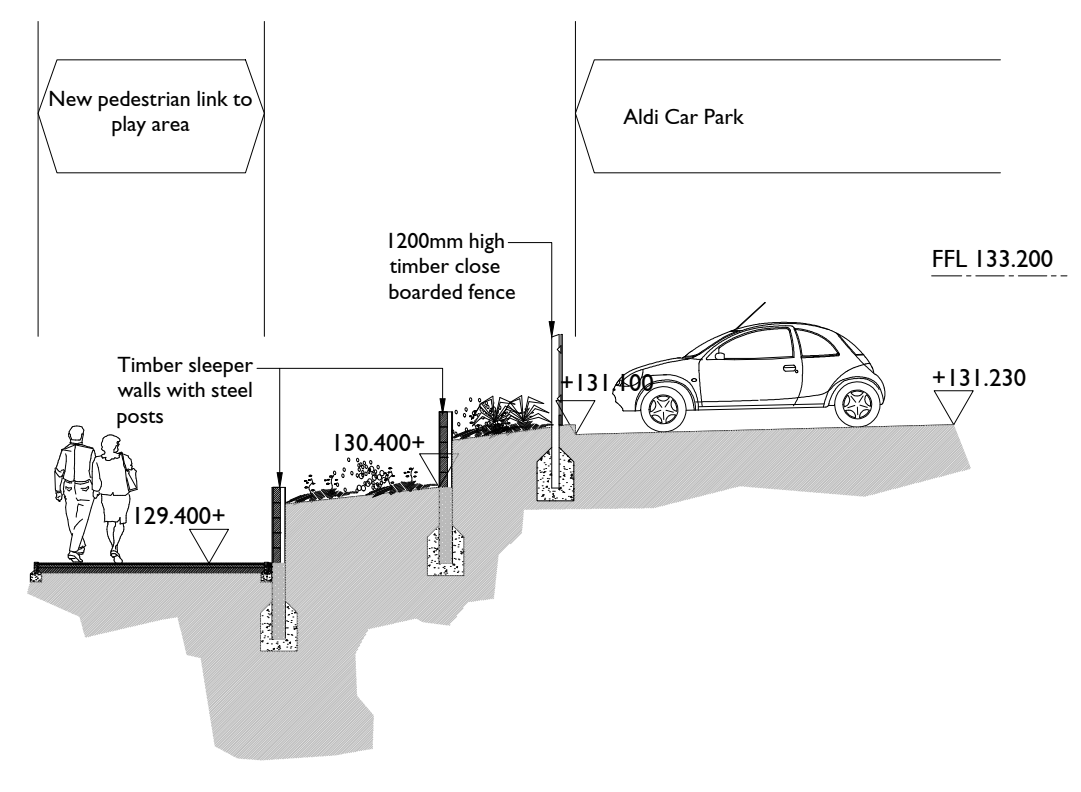
SITE PLAN 1:500



SECTION D - D (1:100)



SECTION E - E (1:100)



SECTION F - F (1:100)

F	Close boarded timber fence added to car park boundary with pedestrian link, acoustic fence adjacent to plant added.	28-10-2022	SPK	SB
E	Site plan revised, adjacent path / bank adjusted	07-09-2022	SPK	SB
D	Boundary adjacent to the new pedestrian link slightly amended to include the small triangle of land to the west of the site	15-07-2021	SPK	SB
C	Do not scale removed from sheet. Scale bars added	09-07-2021	SPK	SB
B	Site Plan updated	25-01-2021	SPK	SB
A	Levels and retaining wall details revised	07-12-2020	SPK	SB
Revision	Description	Date	Drawn	Checked

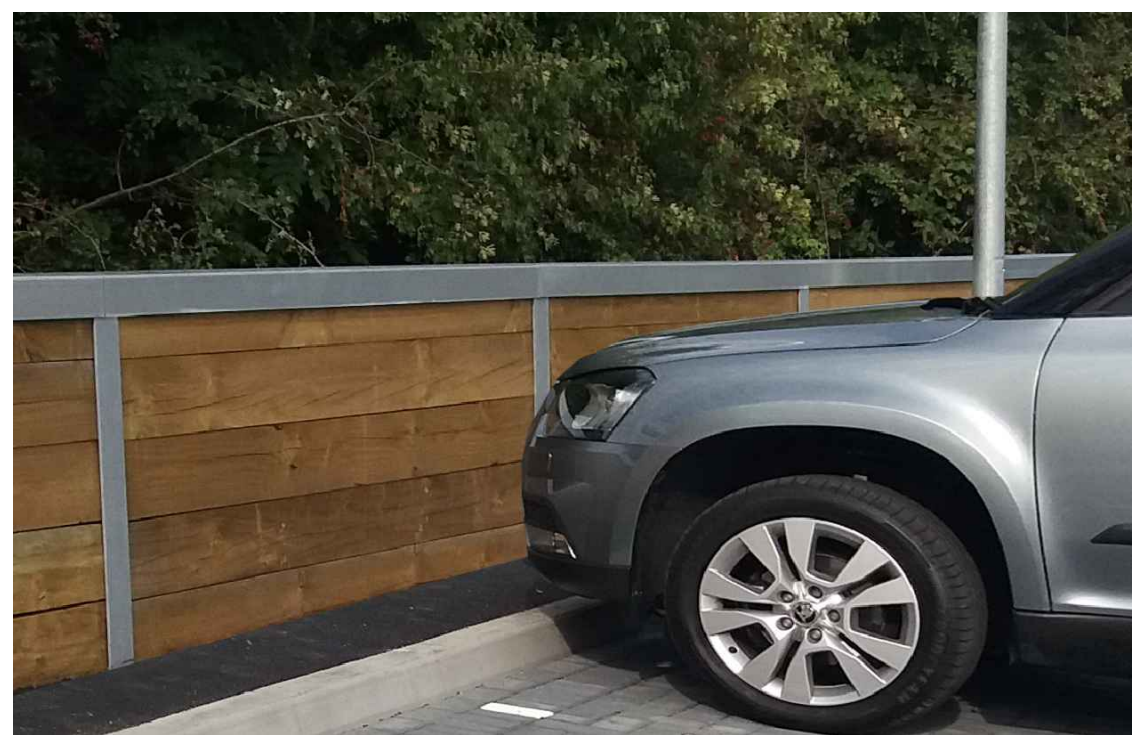
0 5 10 15m
LINEAR SCALE 1:500

0 1 2 3 4 5 6 7 8 9 10m
LINEAR SCALE 1:200

0 1 2 3 4 5 6 7 8 9 10m
LINEAR SCALE 1:100



TIMBER SLEEPER WALL WITH STEEL POSTS - TYPICAL IMAGES



STOAS Architects Limited

PLANNING ISSUE

STOAS ARCHITECTS

THE LODGE - COLESHILL MANOR - BIRMINGHAM - B46 1DL - TEL 0121 747 1943
1 DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 8NL - TEL 01246 389 800

CLIENT ALDI STORES LIMITED

PROJECT ZOAR STREET,
LOWER GORNAL,
DUDLEY

TITLE SITE
SECTIONS

DATE May 2020 SCALE AS SHOWN @ A1

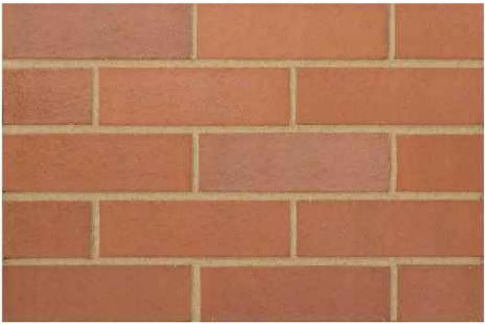
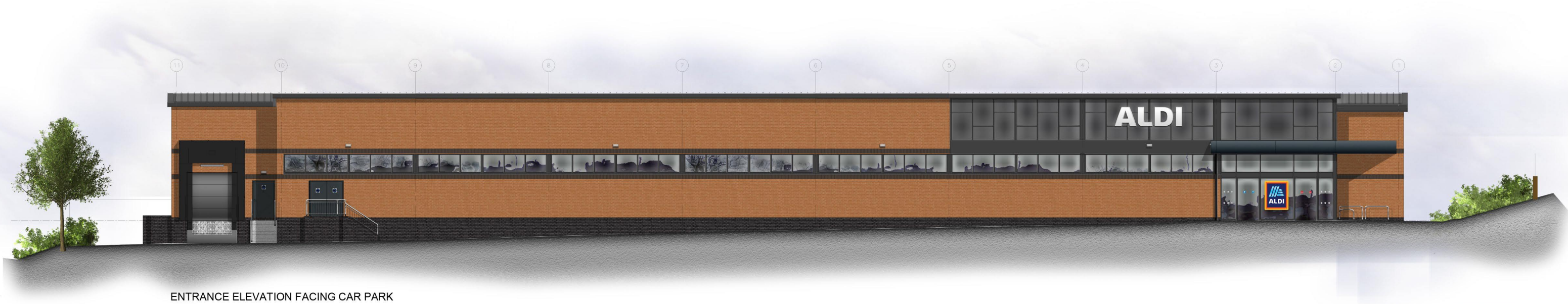
DRAWN SPK CHECKED SB

NORTH

DWG No. Y11A47 - P300 REVISION F

EXTERNAL FINISHES

- 1 Walls - Blockleys smooth 'Hadley Red'. (Red Brick)
Standard coloured mortar
Blockleys Smooth Black' with Tarmac Y14 (black) coloured mortar brickwork below DPC and Feature Soldier courses above and below ribbon windows and around building.
- 2 N/A
- 3 Canopy fascia - powder coated aluminium sheeting, colour Anthracite Grey (RAL 7016). (joints to match half grid spacing on entrance elevation and shopfront elevations)
- 4 Windows - polyester powder coated aluminium (RAL 7016).
- 5 Sectional Overhead Door - PVF coated steel (RAL 7016).
- 6 Steel Escape Doors - Polyester Powder coated colour Grey (RAL 7016) (Frame colour RAL 7016).
- 7 Shopfronts - Polyester powder coated aluminium (RAL 7016).
- 8 Entrance - Polyester powder coated aluminium (RAL 7016).
- 9 Handrails - Galvanised tubular steel.
- 10 Trolley Bay rails - Satin finish stainless steel.
- 11 Roof trim Colour RAL 7016 (Anthracite).



Blockleys smooth 'Hadley Red'. (Red Brick)



Blockleys Smooth Black' with Tarmac Y14 (black) coloured mortar

CLIENT ALDI STORES LIMITED

PROJECT ZOAR STREET, LOWER GORNAL

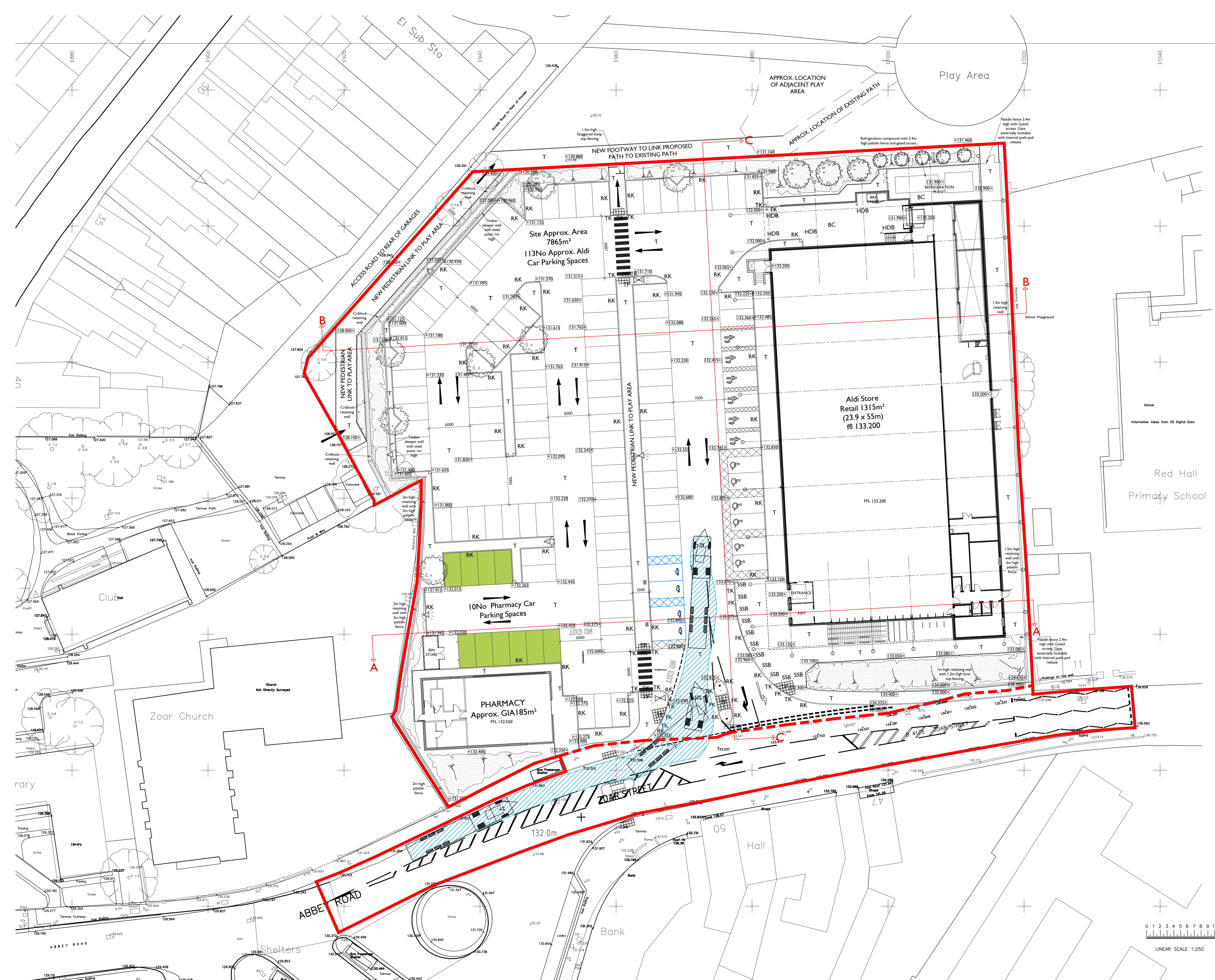
TITLE PROPOSED COLOUR ELEVATIONS

Rev A Do not scale removed from sheet 12-07-2021 SPK

SCALE	1:200 @ A3	DRAWN	SPK
DATE	MAY 2020	CHECKED	SB
DWG No.	Y11A47 - P202	REV	A

STOAS
ARCHITECTS

THE LODGE - COLESHILL MANOR - BIRMINGHAM - B46 1DL - TEL 0121 747 1943
1 DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 8NL - TEL 01246 389 860



LEGEND	
RK	RAISED KERB
EK	EDGING KERB
FK	FLUSH KERB
DK	DROP KERB
TK	TRANSITION KERB
TRK	TRIEF (SAFETY KERB) KERB
TTK	TRIEF (SAFETY KERB) TRANSITION KERB
DC	DRAINAGE CHANNEL
G	NEW STORM WATER DRAINAGE GULLY
TL	MARSHALLS CONSERVATION PAVING 450X450X50MM
TP	TACTILE PAVING
BC	BRUSHED CONCRETE
T	TARMAC
SSB	STAINLESS STEEL BOLLARD
HDB	HEAVY DUTY BOLLARD
TB	TELESCOPIC BOLLARDS AT SITE ENTRANCE

	SINGLE LIGHT LIGHTING COLUMN
	DOUBLE LIGHT LIGHTING COLUMN
	EXISTING TREE
	NEW TREE
	LOW LEVEL LANDSCAPING
	PROPOSED LEVEL
	EXISTING LEVEL

E	Boundary adjacent to the new pedestrian link slightly amended to include the small triangle of land to the west of the site	15-07-2021	SPK	SB
D	Do not scale removed from sheet	09-07-2021	SPK	SB
C	Application Red line Boundary added and annotated. Scale revised to 1:250	05-02-2021	SPK	SB
B	Electric vehicle charging points and additional notes added	25-01-2021	SPK	SB
A	Central pedestrian link to park added, car park revised to suit. Retaining wall revised adjacent to link to park.	03-12-2020	SPK	SB
Revision	Description	Date	Drawn	Checked

STOAS Architects Ltd PLANNING



THE LODGE - COLESHILL MANOR - BIRMINGHAM - B46 1DL - TEL 0121 747 1943
1 DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 8NL - TEL 01246 389 865

CLIENT **ALDI STORES LIMITED**

PROJECT **ZOAR STREET,
LOWER GORNAL,
DUDLEY**

TITLE **DELIVERY
ENTRANCE
02**

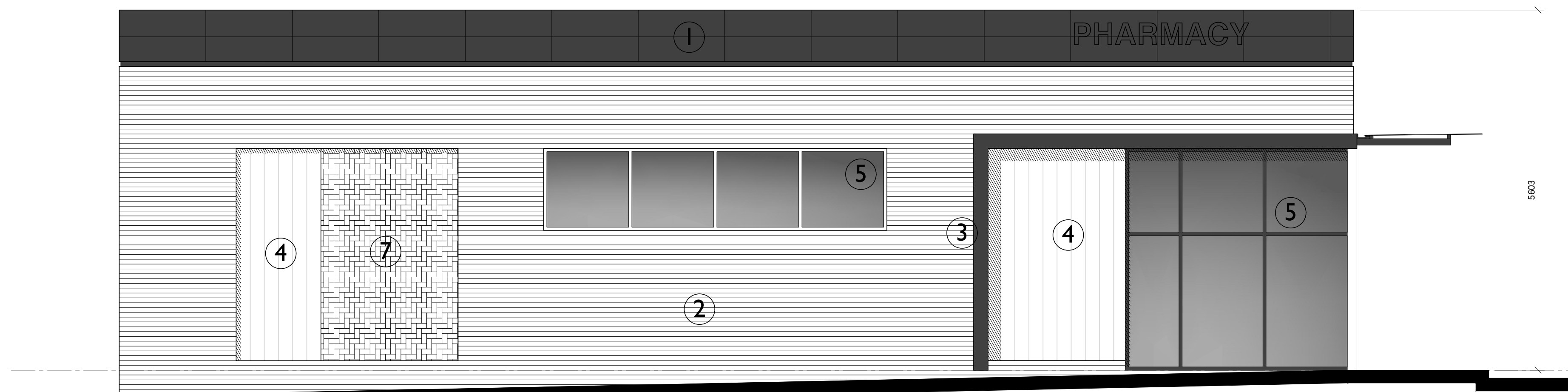
DATE **15-05-2020** SCALE **1:250 @ A1**

DRAWN **SPK** CHECKED **SB**

NORTH

DWG No. **Y11A47- ENT - 02** REVISION **E**

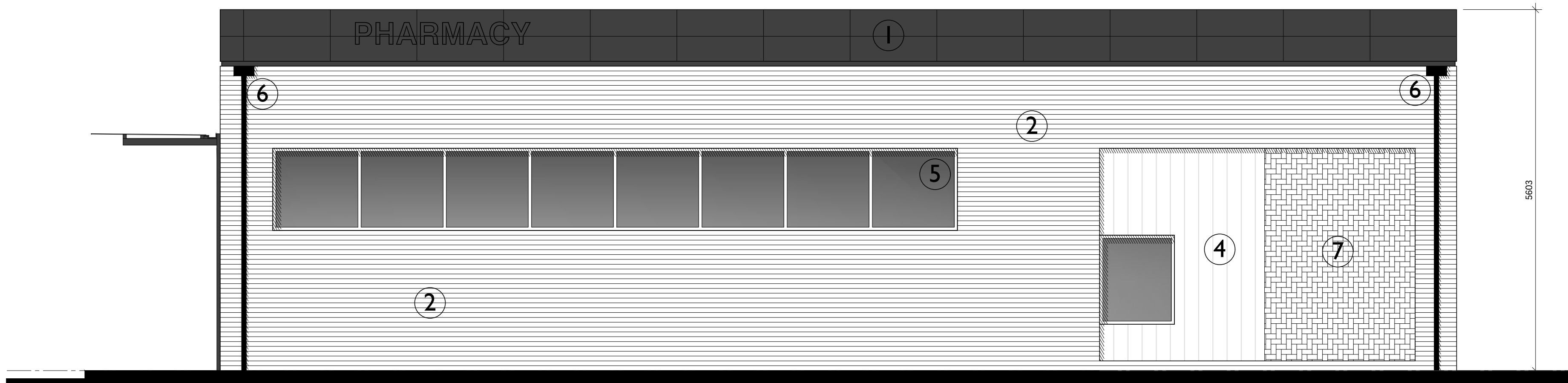
ALL DRAWINGS TO BE APPROVED BY THE CLIENT AND THE ARCHITECT. ANY CHANGES TO THE DRAWINGS MUST BE APPROVED BY THE ARCHITECT AND THE CLIENT. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT.



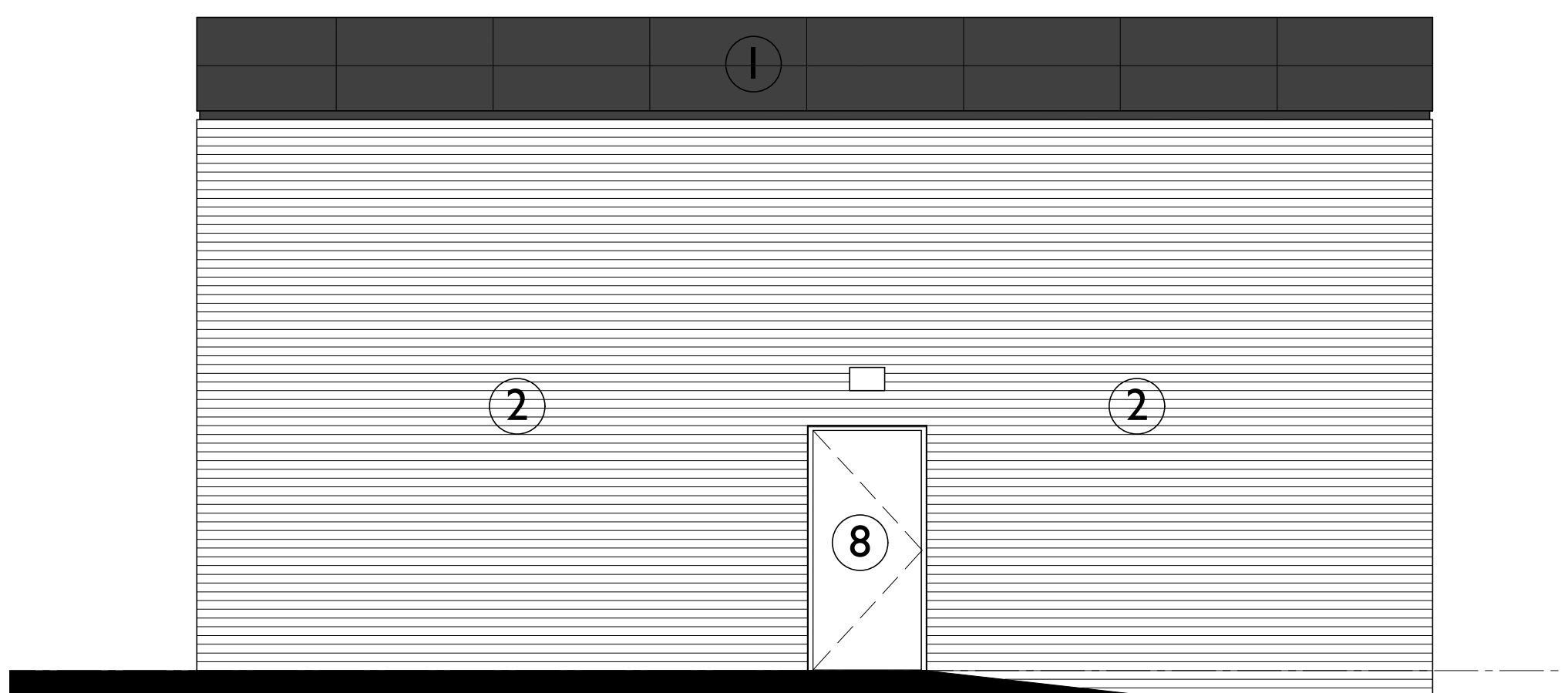
SIDE ELEVATION (A) FACING ZOAR STREET



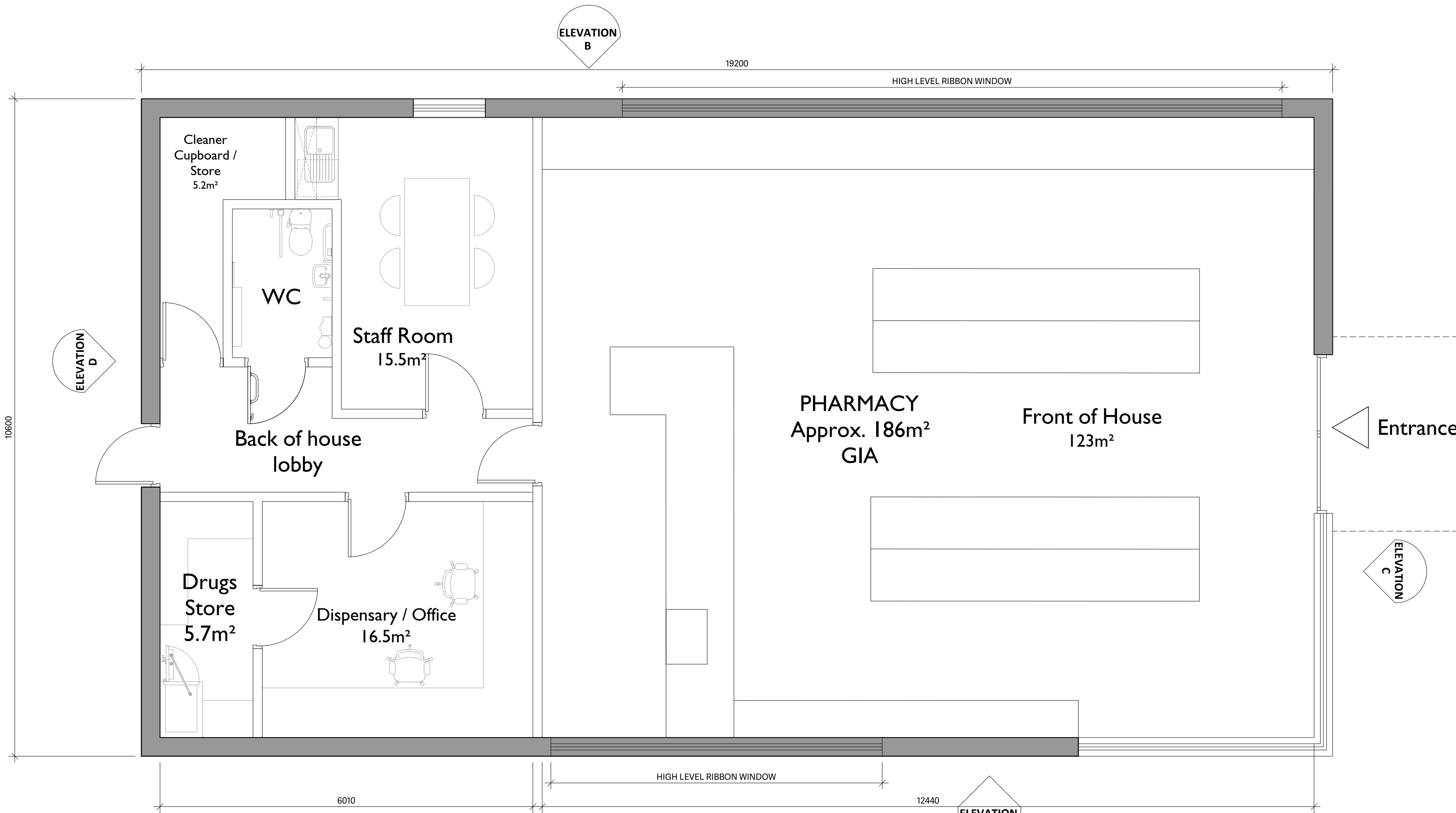
FRONT ENTRANCE ELEVATION (C)



SIDE ELEVATION (B) FACING CUSTOMER CAR PARK

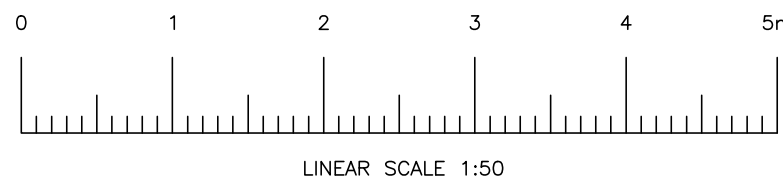


REAR ELEVATION (D)



PLAN

- Proposed Materials**
- 1 Parapet with Cladding Panel System
Colour: Dark Grey (RAL 7016)
 - 2 Brickwork to match surrounding buildings
Colour: TBC
 - 3 Projecting powder coated aluminium frame surround to windows.
Colour: Dark Grey (RAL 7016) to match proposed cladding panels
 - 4 Vertical Cladding Panel System Colour: White
 - 5 Powdercoated aluminium window frames
Colour: Dark Grey (RAL 7016) to match proposed cladding panels
 - 6 Rain Water Pipes & Hoppers
Colour: Dark Grey (RAL 7016) to match proposed cladding panels
 - 7 Decorative brickwork
Colour: TBC
 - 8 Steel Escape Door - Polyester Powder coated colour Dark Grey (RAL 7016)



A	Plan revised to correspond to elevation - cladding to the right hand side of the entrance. Do not scale removed from sheet. Scale bar added	12-07-2021	SPK	SB
Revision	Description	Date	Drawn	Checked

STOAS Architects Ltd
PLANNING

STOAS
ARCHITECTS

THE LODGE - COLESHILL MANOR - BIRMINGHAM - B46 1DL - TEL 0121 747 1943
1 DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 8NL - TEL 01246 389 809

CLIENT ALDI STORES LIMITED

PROJECT ZOAR STREET,
LOWER GORNAL,
DUDLEY

TITLE PROPOSED PHARMACY
PLAN & ELEVATIONS

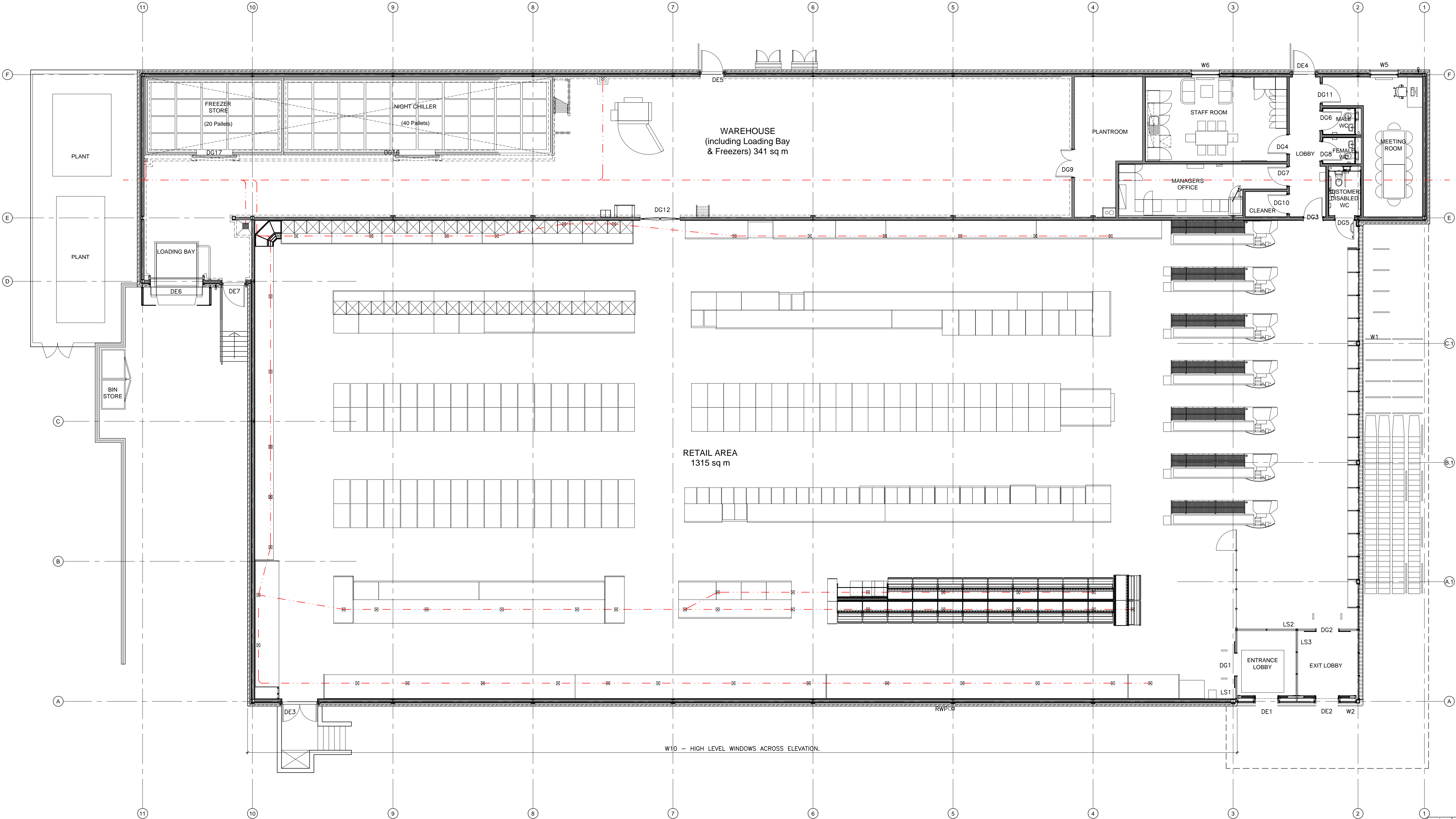
DATE 05-05-2020 SCALE 1:50 @ A1

DRAWN AW / SPK CHECKED SB

NORTH

DWG No. Y11A47 - P400 REVISION A

ALL DIMENSIONS TO BE GIVEN UNLESS SPECIFIED TO THE CONTRARY. THE DRAWING IS THE PROPERTY OF STOAS ARCHITECTS LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN CONSENT OF STOAS ARCHITECTS LTD.



FLOOR PLAN

ALDI MODIFIED CONCEPT 2		
GROSS EXTERNAL AREA	1844 sq m	19,849 sq ft
GROSS INTERNAL AREA	1786 sq m	19,224 sq ft
RETAIL AREA	1315 sq m	14,154 sq ft
WELFARE AREA (including Plantroom)	121 sq m	1,302 sq ft
WAREHOUSE (including Loading Bay and Freezers)	341 sq m	3,670 sq ft

A	Do not scale removed from sheet, scale bar added, external exit stairs shown at DE3	09-07-2021	SPK	SB
Revision	Description	Date	Drawn	Checked



THE LODGE - COLESHILL MANOR - BIRMINGHAM - B46 1DL - TEL 0121 747 1943
1 DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 1NL - TEL 01246 389 800

CLIENT ALDI STORES LIMITED

PROJECT ZOAR STREET,
LOWER GORNAL

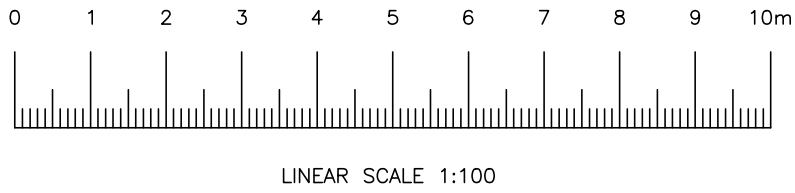
TITLE PROPOSED
FLOOR PLAN

DATE MAY 2020 SCALE 1:100 @ A1

DRAWN SPK CHECKED SB

NORTH

DWG No. Y11A47 - P200 REVISION A



STOAS Architects Ltd
PLANNING

PLANNING APPLICATION NUMBER:P22/1657

Type of approval sought	Full Planning Permission
Ward	Belle Vale Ward
Agent	Gould Singleton Architects
Case Officer	Catherine Golightly
Location:	HAYLEY FASTENERS (SITE 2), SHELAH ROAD, HALESOWEN, B63 3XL
Proposal	DEMOLITION OF EXISTING COMMERCIAL BUILDINGS TO FACILITATE THE ERECTION OF 1 NO. WAREHOUSE WITH ANCILLARY SUPPORT OFFICES, CAR PARK ALTERATIONS, FENCING, GATES WITH MODIFICATIONS TO ACCESS FROM PUBLIC HIGHWAY. EXTENSION AND ALTERATIONS TO EXISTING OFFICE BLOCK (3) WITH NEW FENESTRATION RAIN SCREEN CLADDING AND NEW MAIN ENTRANCE, NEW FENESTRATION RAIN SCREEN CLADDING TO EXISTING BLOCK (2). ELEVATIONAL CHANGES TO INCLUDE NEW ROLLER SHUTTER ENTRANCES. NEW UNLOADING CANOPIES BETWEEN EXISTING AND NEW WAREHOUSES AND CONTROL KIOSK TO FRONT.
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The 2.9h application site comprises of an existing complex of industrial buildings, car parking, hard and soft landscaping areas that is sited within an established employment site and that is set within a wider industrial setting.

2. The site, accessed of Shelah Road, comprises of a complex of large and some smaller industrial buildings that are located largely to the

northern side of the site, with the southern boundary largely defined by car parking and soft landscaped/wooded areas. The site is currently occupied by Hayley Group whose business sector is the supply of engineering components, bearings, seals, lubricants, pumps tools and fastenings.

3. The site is located within the Coombswood to Halesowen Regeneration Corridor 14, within a designated Mixed Use Redevelopment Area (H14.3) which is to be retained for industrial purposes.
4. The site is also recognised as forming part of the Borough's area of Linear Open Space providing a Green Network linking the Hawne Colliery SINC to the west and the Stour Valley SINC to the north and east of the site.
5. The southern area of the site includes Woodland Tree Preservation Order that was confirmed in 2022.

PROPOSAL

6. This planning application seeks the demolition of 6 existing smaller buildings within the curtilage of the site, with the erection of one large replacement warehouse being erected behind the existing commercial premises fronting Shelah Road, with other associated changes being proposed to the establish parking and service areas as well as changes proposed to the façade of the main building.
7. The proposed scheme has been amended through the progression of the application which includes changes to the proposed layout of the

associated car parking. This ensures appropriate mitigation is made to the establish landscaped area to the southern section of the site and to secure additional noise mitigation measures as part of the proposal.

8. The buildings to be demolished are highlighted below in red.



NOT TO SCALE

9. The proposed replacement building would be sited to the rear of the existing commercial building fronting Shelah Road. The warehouse would be approx. 109m in width, approx. 35m in depth and would have a height ranging between approx. 12 and 14m in height. The building would be set down within the site on a similar building level to those of the existing industrial buildings as can be seen on cross section plan 21-1883/24A. The proposal will incorporate gabion retaining wall features to the sides and rear elevations of the proposed warehouse.

10. In addition to the proposed new warehouse building, modest extensions and modifications are also proposed to the existing buildings fronting Shelah Road.



11. These would include the following associated works:
- Small extensions the north elevation of Block 3, fronting Shelah Road,
 - New aluminium cladding to the front and side elevations of Block 3,
 - The creation of a new glazed primary entrance feature to the frontage of Block 3.
 - New aluminium cladding to the front elevation of Block 2,
 - New canopy feature to the west elevation of Block 2,
 - New/modified accesses into the site,

- New car parking and loading areas to be secured across the development site.
12. The proposed development would increase the number employees from an existing 279 up to 310.
13. The application has been submitted with the following supporting documents; Arboricultural Impact Assessment, Flood Risk Assessment, Drainage Impact Assessment, Energy Statement, Noise Report, Air Quality Assessment, Transport Assessment, and an Ecological Impact Assessment.

HISTORY

14. Extensive planning history for industrial/warehouse/office uses with ancillary works.

PUBLIC CONSULTATION

15. The application was advertised by way of two rounds of neighbour notification letters being sent to the occupiers of sixty three properties within close proximity, and Site and Press Notices have also been displayed. As part of the first round of consultation, 12 responses were received from 10 addresses, who raised comments on the following grounds:
- Concerns regarding the height, proximity and colour of the proposed warehouse,
 - Intrusive appearance,

- The planting of trees would not mitigate visual impacts to neighbours,
- Acoustic fence provides little protection to neighbours,
- Concerns over opening hours,
- Loss of privacy,
- Loss of light to neighbouring premises,
- Increase in traffic along Fairmile Road, increasing air pollution,
- Inadequate on site parking provision,
- Displacement of vermin into residential properties,
- Destruction of woodland,
- Loss of wildlife habitats,
- Increase in air pollution,
- Light pollution,
- Noise Pollution,
- Existing noise problems would be exacerbated,
- Subsidence concerns,
- Security concerns,
- Alternative warehouse sites available locally,
- Loss of property values.

16. In addition, three letters of support had been received from nearby addresses, offering support on the following grounds:

- Improve the appearance of the area,
- Impacts can be mitigated by tree planting and the inclusion of EVCP,
- Positive investment for businesses,
- Supports the local economy,

- The one-way traffic system will improve traffic flow on site and on adjacent roads.
17. Councillor Phipps has requested the application be heard by Planning Committee to consider matters of highway safety and ecological concerns on behalf of local residents.
18. The second round of consultation generated 6 further responses from 5 addresses. Additional comments focused on the following:
- Suggesting alternative colours for the building,
 - Impact on health,
 - Loss of existing on site parking provision,
 - Amended plans do not address the loss of trees/wildlife sufficiently,
 - Increase in HGV traffic.

OTHER CONSULTATION

19. Head of Planning and Development (Highway Engineer):
No objections subject to the inclusion of conditions to secure a Travel Plan, a revised parking layout with appropriate cycle storage being secured, the provision of Electric Vehicle Charging Points, with appropriate visibility, loading and service areas being secured.
20. Head of Planning and Development (Land Contamination Team):
No adverse comments.
21. Head of Environmental Health and Trading Standards:

No objections subject to the inclusion of conditions to restrict the hours of demolition, opening and noise associated with vehicle movements and machinery, along with the inclusion of an acoustic barrier, and the securing of a Travel Plan.

RELEVANT PLANNING POLICY

22. National Planning Guidance

- National Planning Policy Framework (2021)

Black Country Core Strategy (2011)

- CSP1 The Growth Network
- EMP1 Providing for Economic Growth
- ENV1 Nature Conservation
- ENV2 Historic Character and Local Distinctiveness
- TRAN2 Managing Transport Impacts of New Development
- ENV8 Air Quality

Dudley Borough Development Strategy (2017)

- S1 Presumption in favour of Sustainable Development
- S6 Urban Design
- S17 Access and Impact of Development in the Transport Network
- S19 Dudley Borough's Green Network
- S21 Nature Conservation Enhancement, Mitigation and Compensation
- S22 Mature Trees, Woodland and Ancient Woodland
- D2 Incompatible Land Uses
- D5 Noise Pollution

- D6 Light Pollution

Supplementary Planning Guidance/Documents

- Parking Standards SPD (2017)
- Nature Conservation SPD (2016)

ASSESSMENT

23. The main issues for consideration are:

- Principle
- Design and Layout
- Ecological Enhancements
- Neighbour Amenity
- Parking and Access
- Other Matters

Principle

24. The application site is located within a 'Regeneration Corridor' as designated by the Black Country Core Strategy Regeneration Corridor 14 (Coombswood to Halesowen) as defined by Appendix 2 of the Black Country Core Strategy. The application site is located within a wider indicatively drawn area comprising of 2.5ha of a '*mixed use redevelopment area*'. The recognised opportunities of the area focus on the enhancement of the establish employment base by '*improving the quality of the existing industrial building stock*'. The Dudley Borough Development Strategy goes further to suggest that this employment area should be utilised for the '*retention of industrial areas except for*

some peripheral housing development'. This Regeneration Corridor is also recognised for playing a 'significant part of the biodiversity network, supporting and encouraging biodiversity and the penetration of habitats into the sub-region from the surrounding green belt areas and the Leasowes Historic Park.'

25. The proposed development would utilise and repurpose land and buildings to support the function of the established business, to provide additional warehousing provision to serve the existing business. Given that the proposed use of the structure would be compatible with the existing uses within the employment area and it would provide additional employment opportunities, the proposal would support economic growth within this employment land corridor, thereby being in accordance with Policies CSP1 and EMP1 of the Black Country Core Strategy and the objectives of the Regeneration Corridor 14 as identified within the Dudley Borough Development Strategy. It is therefore considered that the principle of this development is acceptable in this location.

Design and Layout

26. The proposed warehouse building would be functional in design built of profiled steel cladding which is appropriate within this industrial setting and would match the colour and appearance of the existing buildings within the locality to give a coherent and uniformed appearance. Whilst it is large in scale, this has been mitigated by being sited at a lower ground level to that of the existing ground to ensure the development is

not overbearing as viewed from the rear, particularly in respect of nearby residential properties.

27. The proposed building would also be of a smaller footprint than the existing Block 3 and would be of a scale that reflects the built form locally. It would be seen in context with other larger industrial sized buildings that surround the application site. As such, the proposed unit, subject to it being sited at the suggested ground level, would not form an incongruous or overly prominent feature within this location and would have limited impact on the wider view of the site.
28. Notwithstanding objections that have been raised by neighbouring residents in terms of the height of the proposed building and overbearing impact on neighbouring amenities, resulting in the loss of light and privacy to the adjoining properties, the distance between the warehouse and neighbouring properties would be in excess of 29m at its nearest point. This would exceed the distance separation standards as outlined within the New Housing Development SPD, which seeks to secure a minimum of 14m between a dwelling and an opposing gabled wall, and requires 22m between building faces. Whilst it is noted that the development is not seeking to secure a new dwelling, the height of the structure at approximately 8.25m above ground level is not dissimilar to that of a dwelling as viewed from the rear, therefore, the impacts on the neighbours would not be dissimilar. Furthermore, its impact will be mitigated by the presence of the existing landscaping and additional mitigation tree planting that is proposed to the rear of the warehouse, which would, as currently exists, largely screen the development from view from the neighbouring dwellings.

29. The proposed modifications to the existing Blocks 2 and 3 would provide modest alterations and a comprehensive upgrade to the existing premises to improve their appearance within the street. The proposed cladding would replace the existing brick façade of the host buildings. However, the replacement materials and design modifications would not be out of keeping within this industrial setting, the nature of which would improve and enhance the appearance of the established building within the wider industrial estate. Therefore, the nature of these proposed works are acceptable.
30. In consideration of the above, the principle of the new development would not result in an addition that would appear out of character and appearance within the existing industrial setting. Furthermore, the proposed development, along with the upgrade of the existing buildings would not adversely impact the amenities, including outlook, of the neighbouring occupiers. In this respect there are insufficient grounds to warrant a refusal of the application. Therefore, and in consideration of the design and mitigation that has been incorporated as part of the proposal, the development would comply with Policy ENV2 of the Black Country Core Strategy and policies S1 and S6 of the Dudley Borough Development Strategy.

Ecological Enhancements:

31. As noted earlier in this report, the application site falls within part of the Borough's Green Network, providing a green wedge between conflicting land uses and forms a green space corridor linking the designated

Hawne Colliery SINC with the Stour Valley SINC to the north and east of the site. As such, significant consideration needs to be given to the environmental impacts of development in this location.

32. Policy ENV1 – Nature Conservation of the Black Country Core Strategy seeks to safeguard nature conservation within the area ensuring that, amongst other matters, that *“important habitats and geological features are protected from development proposals which could negatively impact upon them”*; seeking to protect the *“movement of wildlife within the Black Country and its adjoining areas, through both linear habitats (e.g. wildlife corridors) and the wider urban matrix (e.g. stepping stone sites) is not impeded by development”*. In consideration of the above, and in acknowledging where the strategic benefits of the development outweigh the importance of nature conservation sites, the policy stipulates that any such impact must be mitigated and compensated. Such measures could include the expansion of nature conservation sites, improving wildlife movements and by restoring or creating new habitats.
33. In support of Policy ENV1, Policy S21 - Nature Conservation Enhancement, Mitigation and Compensation of the Dudley Borough Development Strategy outlines the Council will *“safeguard and enhance designated nature conservation sites, habitats and features through the development process and in accordance with the Core Strategy, in particular Policy ENV1”*. In doing so, the policy outlines that where *“development clearly outweigh the nature conservation importance of the area impacted upon, Dudley Council will ensure any damage or loss of nature conservation assets is fully offset by additional nature*

conservation improvement works. It will be expected that these will normally be accommodated on-site”.

34. In consideration of the above, the application has been submitted with an Ecological Impact Assessment which concluded that no protected species would be adversely affected as a result of the proposal, and this is not disputed. Despite this, the submitted assessment encourages the introduction of a suite of on-site ecological enhancement measures that are appropriate and necessary to off-set and improve the ecological merits of the site and this has been conditioned accordingly. This includes the introduction of bird and bat boxes, and invertebrate boxes to support local wildlife.
35. Although, the proposed development would result in the loss of part of the established green wedge, the scheme has been amended following Officer advice, including that of the Council’s Tree Officer, to vary the rear car parking area. This has been done, not only to ensure the protection of established protected trees, but also to allow for an improved replacement tree planting/landscaping scheme to compensate and improve the ecological merits of the development. These changes allow for appropriate mitigation and enhancement measures to be secured, including the retention of 20 of the existing trees, incorporating the planting of an additional 22 trees, increasing the width of an enhanced and retained woodland buffer. Not only would this allow for the integrity of the woodland corridor to be retained it also helps ensure the improved level of biodiversity within this landscape buffer is supported. These protection and enhancement measures have been conditioned accordingly as part of this approval.

36. As such, and despite some encroachment within the existing landscape buffer, the proposed nature enhancement measures being incorporated would offset the environmental impacts of the proposed development. This ensures compliance with Policies ENV1 of the Black Country Core Strategy and Policies S19, S21 and S22 of the Dudley Borough Development Strategy.

Neighbour Amenity

37. The proposed development is located within an area of industrial uses and the proposed use would be consistent with the wider uses of the industrial estate. Whilst objections have been raised by neighbouring occupiers in terms of adverse light, noise and disturbance, modifications have been secured through the progression of the application to ensure appropriate protection and mitigation measures are in place. Such mitigation includes the inclusion of an acoustic fence and conditions to restrict hours of operation and demolition, to protect the nearby residents from any further impacts of the proposed development. These protection measures are considered sufficient to protect the nearby residents and therefore the application has been conditioned accordingly. These have been recommended by the Head of Environmental Health and Trading Standards who raised no objection to the proposed development subject to the recommended conditions which will be attached to the decision. Thereby, the proposal complies with policies D2, D5 and D6 of the Dudley Borough Developments Strategy.

38. Further comments have also been raised regarding possible security issues to nearby residents, however, the rear gardens of the adjacent properties are sited to the extreme rear boundary of the site, would be centrally located away from the public realm and these would not be any further exposed than that of the existing situation. Therefore, the proposal would not result in an increased security risk to nearby neighbours.

Parking and Access

39. As part of the proposed development, the existing access arrangements and parking associated within the application site is to be modified, although the primary route through the existing industrial estate will remain unaltered. Neighbouring objections have been raised on highway safety grounds as a result of an increase in traffic and the increase parking requirements associated with the proposal. However, having regard to the maximum parking standards required for such uses, the revised parking layout along with the additional information provided as part of the submission, demonstrates that the revised parking layout would accommodate for the increased parking demand associated with the development, reducing the need for on-street parking locally. For clarity, there are 165 staff and visitor parking spaces as existing and 220 proposed.
40. This has been reviewed by the Council's Highway Engineer who considers that, subject to appropriate conditions being attached, the highway impacts of the development can be sufficiently mitigated for. These recommended conditions have been attached accordingly.

41. Therefore, and subject to these suggested conditions, the revised access arrangements and parking provision associated with the proposed development would not result in significant adverse highway safety concerns in accordance with Policy TRAN2 of the Black Country Core Strategy and Policy S17 of the Dudley Borough Development Strategy.
42. Notwithstanding this, and having regard to the recommendations contained within the Parking Standards SPD and as suggested by the Highway Engineer, there is a requirement for appropriate Electric Vehicle Charging Points (EVCP) to be provided to promote the use of ultra low emissions vehicles. This provision has been sought by way of a condition, and as such, the proposal would be in accordance with the policy requirements contained within the Policies ENV8 and DEL1 of the Black Country Core Strategy and the requirements contained within the Parking Standards SPD.

Other Matters:

43. Comments received as part of the consultation process have highlighted a number of non-material planning considerations, for example, the displacement of vermin, land stability and the effect on property prices. However, these matters do not form a material consideration in the assessment of the application and these matters cannot be taken into consideration as part of this decision making process.

44. Whilst matters relating to land stability have been raised, this is a matter for building regulations and not a planning consideration in this instance.

CONCLUSION

45. The proposed development would support economic growth within an employment land corridor and will assist with job creation within the Borough. The proposed development, through careful and conditioned enhancements, will mitigate against the ecological impacts of development within this sensitive location. The proposed building and the additional modifications would be of an appropriate scale and design within the context of the existing industrial area and the siting of the building would not have an adverse impact upon residential amenities or the wider visual amenity of the area. The access arrangements and proposed parking provision on site would not adversely impact highway safety in this locality and would, through the increased level of parking reduce the level of off-site parking.
46. As a result of the above, the proposed development complies with both local and national policy and, in accordance with the NPPF should be supported.

RECOMMENDATION

47. It is recommended that the application be APPROVED subject to conditions.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following plans and amended plans: As submitted on the 23/11/2023:
 - 21-1883-001A
 - 21-1883-002A
 - 21-1883-003A
 - 21-1883-004A
 - 21-1883-005A
 - 21-1883-006A
 - 21-1883-007A
 - 21-1883-008A
 - 21-1883-010A
 - 21-1883-013A
 - 21-1883-014A
 - 21-1883-016A
 - 21-1883-019A
 - 21-1883-020A
 - 21-1883-021A

As submitted on the 03/03/2023:
Landscape Plan Drawing No.1B

As submitted on the 21/03/2023:
11884-E-001 Rev PL2

As submitted on the 05/05/2023:
21-1883-011C
21-1883-012B
21-1883-015B
21-1883-017B

21-1883-018B

21-1883-024A

21-1883-025A

21-1883-026A

REASON: For the avoidance of doubt and in the interests of proper planning.

3. No above ground development shall commence until a schedule of the types, colours and textures of the materials to be used on the external surfaces of the existing and proposed buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the visual amenities of the area and to comply with BCCS Policies CSP4 and ENV2 and Borough Development Strategy 2017 Policy S6 and Policy D2 (in part).

4. No Development (excluding demolition works) shall take place until details of an Engineer designed no dig hard surface construction for the proposed new car parking area within the Root Protection Area (RPA) of the retained trees has been submitted to the Local Planning Authority and approved. These details shall also include the proposed geo cell construction and details of the materials for the final wearing surface.

REASON: To ensure the continued wellbeing of trees in the interests of the amenity of the area and to accord with Section 7.4 of BS 5837:2012 Trees in Relation to design, demolition and construction.

5. Before any operations being undertaken on site,
 - (a) a scheme for the protection of the retained trees shall be produced in accordance with BS5837:2012 (Trees in Relation to Design, Demolition and Construction - Recommendations), which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of the Tree Preservation Order currently in force, shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.
 - (b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(d) Protective fencing shall be retained intact for the full duration of the construction of the development hereby approved and this shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

REASON: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality having regard to Policy S22 of the Dudley Borough Development Strategy (2017).

6. The existing trees shown on the approved plans to be retained shall not be damaged or destroyed, uprooted, felled, lopped or topped during the construction period of the development without prior written consent of the local planning authority. Any trees removed without such consent or dying or being seriously damaged or diseased during that period shall be replaced with healthy trees of such size and species as may be agreed in writing by the Local Planning Authority.

REASON: To maintain the visual and environmental quality of the site and surrounding area in accordance with the Borough Development Strategy (2017) Policy S22 (in part).

7. The development shall not be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority, including details of a Travel Plan Co-ordinator, Staff Travel Survey, Car Parking Management, Public Transport, Walking and Cycling initiatives, Publicity and Marketing, Set targets and monitoring and to join Company Travel Wise in Dudley together with a timetable for the implementation of each such element. The Travel Plan shall be implemented in accordance with the details approved by the Local Planning Authority and remain operational for the life of the development.

REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6, Policy L1, Policy D2 (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

8. The development hereby permitted shall not be occupied until the details of the revised parking layout have been submitted to and approved in writing by the Local Planning Authority. The parking areas shall thereafter be laid, surfaced and drained in accordance with the details shown on the approved plans prior to the development being first used and these shall thereafter be retained

for the life of the development.

REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6, Policy D2 (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

9. No above ground development shall commence until details of electric vehicle charging bays with a vehicle charging point, to be provided in accordance with the Council's standard (Parking Standards SPD) have been submitted and approved in writing by the Local Planning Authority. Such details shall include signs and bay markings indicating that bays will be used for parking of electric vehicles only whilst being charged. Prior to first occupation, the electric charging points and bays shall be installed in accordance with the approved details and shall thereafter be maintained for the life of the development.

REASON: In the interests of creating a sustainable form of development and to encourage the use of ultra low emission vehicles in accordance with Policies ENV8 and DEL1 of the Black Country Core Strategy.

10. The development shall not be occupied until details of secure and covered staff cycle storage and shower facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details prior to the first use/occupation of the development and shall thereafter be retained and maintained for no other purpose for the life of the development.

REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6, Policy D2 (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

11. The development shall not be occupied until details of secure powered two wheeler parking have been submitted to and approved in writing by the local planning authority. These facilities shall be provided in accordance with the approved details prior to the first occupation of the development and shall thereafter be retained and maintained for no other purpose for the life of the development.

REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6, Policy L1, Policy D2 (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

12. The development shall not be occupied until the loading and service vehicle access areas have been laid out in accordance with the approved details and shall thereafter be maintained for the life of the development.

REASON: In the interests of highway safety and to comply with

Borough Development Strategy 2017 Policy S6, Policy D2 (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

13. No part of the development shall be occupied until visibility splays to the new access have been provided at the junction between the proposed means of access and the highway with an 'x' set back distance of 2.4 metres and a 'y' distance of 59 metres. No structure or vegetation exceeding 600mm in height above the adjoining highway shall be placed or allowed to grow within the visibility splay for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6, Policy D2 (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

14. The proposed development will only be operational between the hours of 06.00 to 22.00 Monday to Friday; 06.00 to 14.00 on Saturday and not at all on Sunday or Bank Holidays. Such operations include loading, unloading and general warehouse activities, including deliveries and forklift truck movements to the warehouse and associated haulage yard. This condition will not apply to loaded vehicles leaving the site between 22.00 to 06.00 hours Monday to Saturday. Vehicles leaving the site between 22.00 to 06.00 hours Monday to Saturday will not carry out any reversing manoeuvres and will only use forward gear to depart the site.

REASON: To protect the amenities of nearby residents in accordance with Borough Development Strategy 2017 Policy D5 and Policy L1 and Policy D2 (in part).

15. Vehicles leaving the site between 22.00 to 06.00 hours Monday to Saturday will not sound their horns within the service yard or service route. The testing of vehicle horns will not be undertaken until the vehicle has crossed the boundary at the exit gate onto Shelah Road.

REASON: To protect the amenities of nearby residents in accordance with Borough Development Strategy 2017 Policy D5 and Policy L1 and Policy D2 (in part).

16. The 3.75m acoustic fence as detailed in Drawing number 21-1883-011C (dated 01.11.22) and having a minimum surface density of 10kg/m² shall be installed before the approved use commences. The barrier shall be retained and maintained throughout the life of the development.

REASON: To protect the amenities of nearby residents in accordance with Borough Development Strategy 2017 Policy D5 and Policy L1 and Policy D2 (in part).

17. The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed background sound levels by more than 5dB(A) between the hours of 0700-2300 at the nearest sound sensitive premises and shall not exceed the background sound level between 2300-0700 at the nearest sound sensitive premises. All measurements shall be made in accordance with the methodology of BS4142:2014+A1:2019 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property. Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority.
REASON: To protect the amenities of nearby residents in accordance with Borough Development Strategy 2017 Policy D5 and Policy L1 and Policy D2 (in part).
18. Demolition or construction works shall only take place between the hours of 0700 hours and 1800 hours, Mondays to Fridays, and 0800 hours to 1700 hours on Saturdays and not at any time on Sundays or Public Holidays.
REASON: To protect the amenities of nearby residents in accordance with Borough Development Strategy 2017 Policy D5 and Policy L1 and Policy D2 (in part).
19. No above ground development shall commence until details of onsite renewable energy production, which shall provide at least 10% of the new developments needs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained for the lifetime of the development.
REASON: In accordance with the requirements of Policy ENV7 of the Black Country Core Strategy.
20. In the event that contamination is found at any time when carrying out the approved development which was not previously identified, development shall STOP on that part of the site affected by the unexpected contamination and it must be immediately reported in writing to the Local Planning Authority. An additional investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be prepared, which shall be submitted to and approved in writing of the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless

otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 and the NPPF.

21. No development shall commence (excluding demolition, site clearance and initial ground investigation works) until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.

REASON: In the interests of sustainability, reducing flood risk and run off and to comply with Adopted BCCS Policy ENV5.

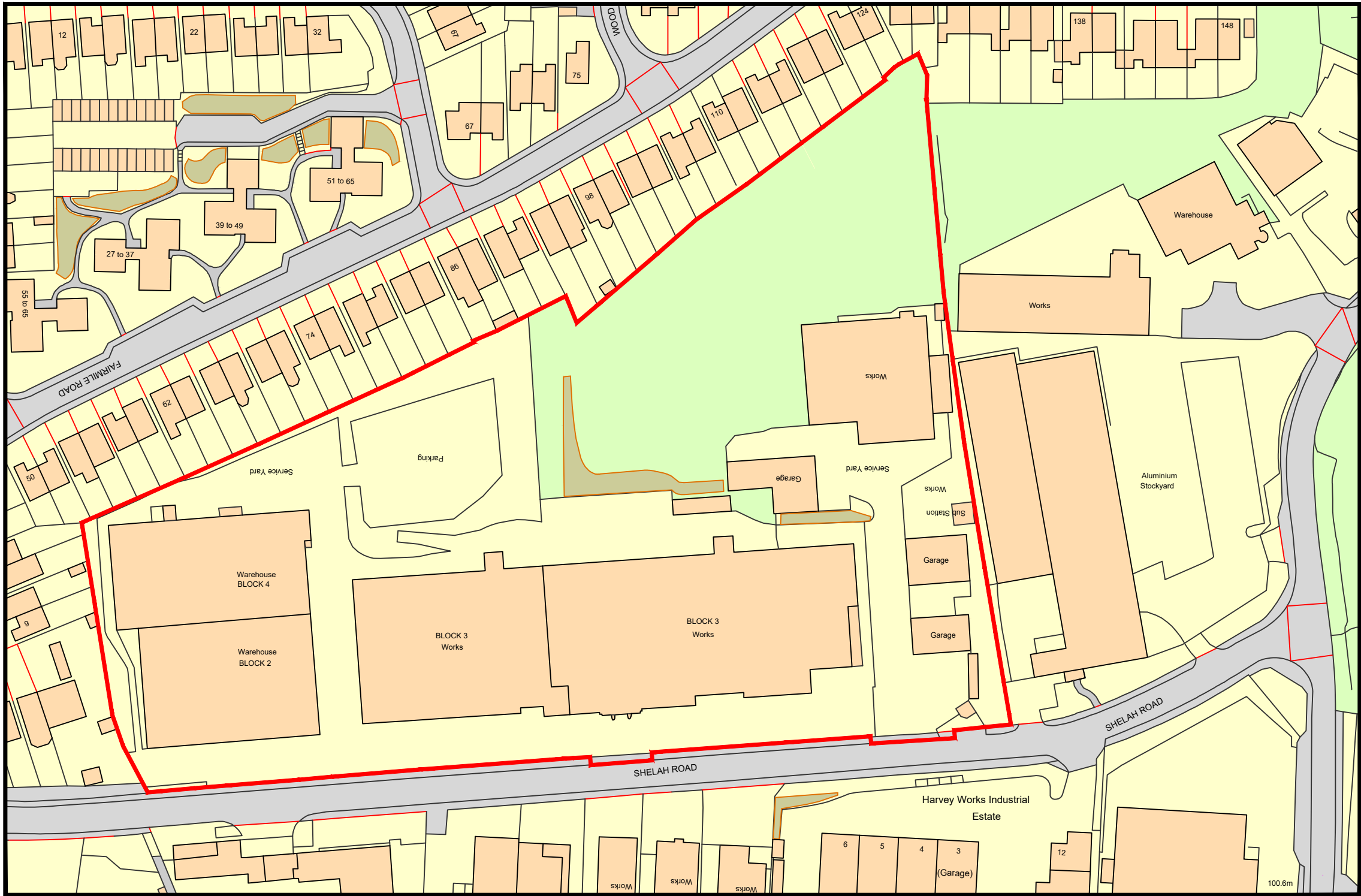
22. No development shall commence (excluding demolition, site clearance and initial ground works) until details of nature conservation enhancement works have been submitted to and approved in writing by the Local Planning Authority. The nature conservation enhancement works shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.

REASON: In order to enhance, encourage and protect the nature conservation value of the site and in accordance with BCCS Policies ENV1, CSP3 and DEL1 and Borough Development Strategy 2017 Policy S21 and Policy S19 (in part).

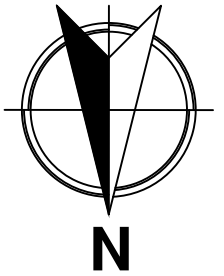
This detail is required pre commencement (excluding demolition, site clearance and initial ground works) in that the required works may need to be incorporated into buildings on the site.

23. The landscaped areas shall be retained in the form shown on the approved plan throughout the life of the development and shall not be used for any other purpose, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To preserve the character and visual amenities of the area, in accordance with BCCS Policies CSP4, ENV 2 , ENV3 and DEL1 and Borough Development Strategy 2017 Policy S6 and Policy L1 and Policy D2.



Ordnance Survey, (c) Crown Copyright 2021. All rights reserved. Licence number 100022432



LOCATION PLAN - AS EXISTING

Scale - 1:1250

SITE AREA: 2.902 ACRES



1 : 1250

A	18.11.22	General Planning Application Updated	PS	SC
rev.	date		drawn	chk'd



Gould Singleton Architects
Earls Way, Halesowen, West Midlands, B63 3HR

Tel: 0121 550 0359 Fax: 0121 550 8088
e-mail: info@gould-singleton.co.uk

1:1250@A3
01.11.2022
PS SC
21-1883/001A

Hayley Group Limited
Shelah Road
Halesowen
West Midlands - B63 3XL

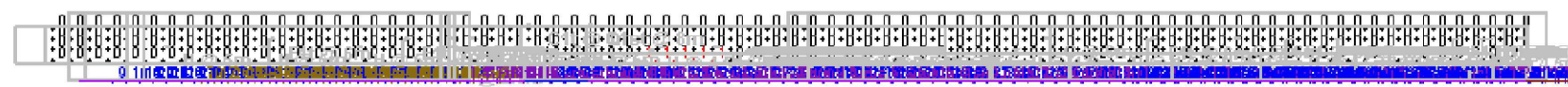
Location Plan - As Existing

This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.

PLANNING

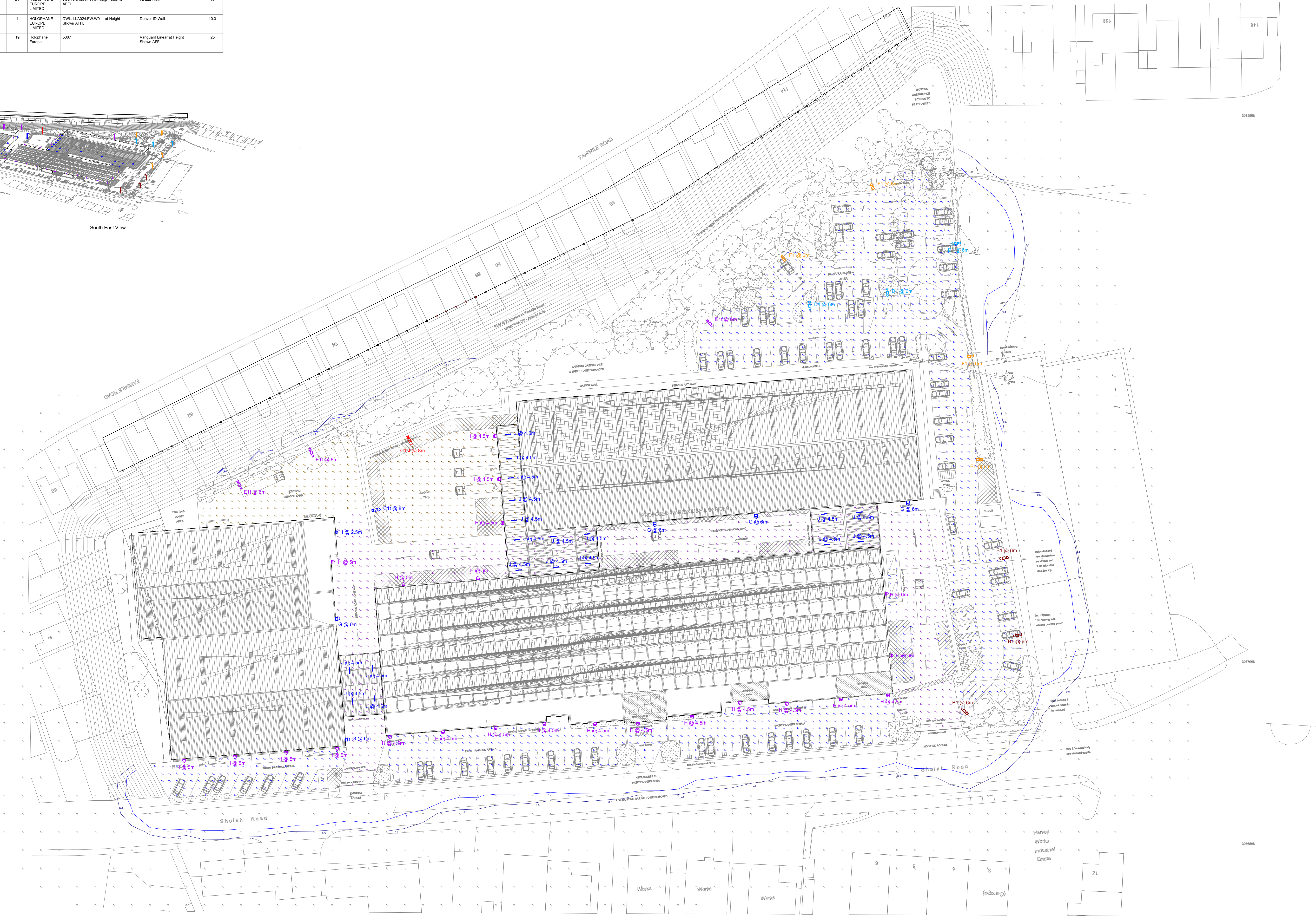
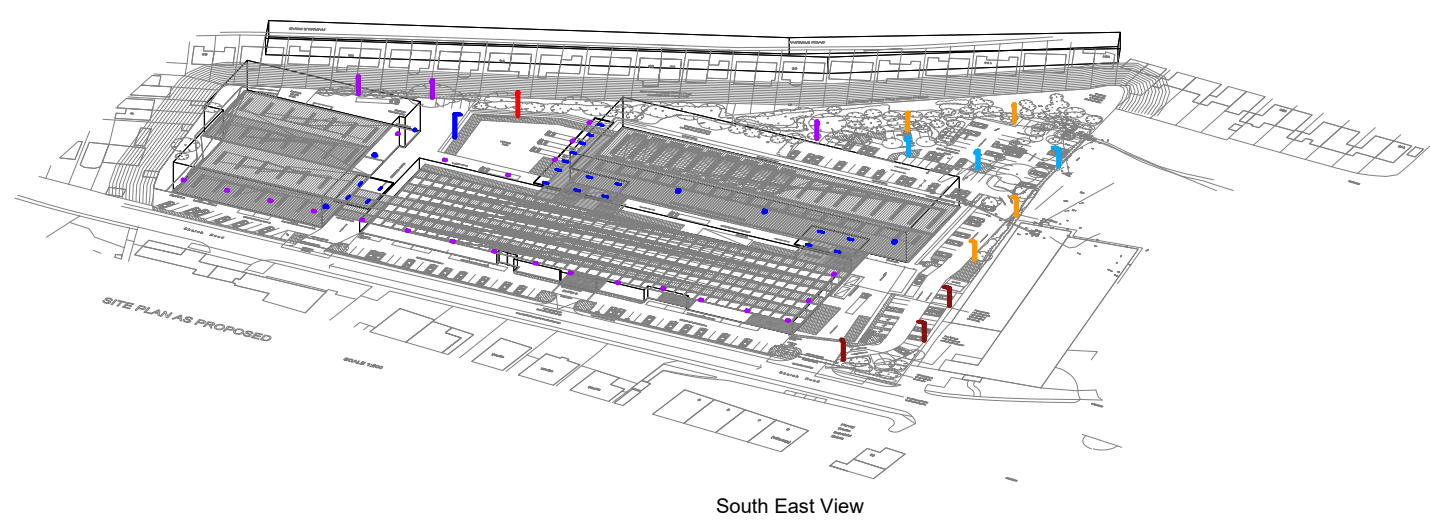
Schedule						
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Wattage
	B1	3	HOLOPHANE EUROPE LIMITED	1 x OSK0 1.1A154 FW on 8in Column	D-Series 0 Area luminaire	88
	C1st	1	HOLOPHANE EUROPE LIMITED	DS00 1.1A154 FW BLS on 8in Column and Backlight Sheet 3 Degree Tilt Bracket	D-Series 0 Area luminaire	81
	C1t	1	HOLOPHANE EUROPE LIMITED	1 x OSK0 1.1A154 FW on 8in Column 3 Degree Tilt Bracket	D-Series 0 Area luminaire	81
	D1	3	HOLOPHANE EUROPE LIMITED	1 x OSK0 1.1A154 FW on 8in Column	D-Series 0 Area luminaire	107
	Et1	3	HOLOPHANE EUROPE LIMITED	DS00 1.1A154 BLC on 8in Column 3 Degree Tilt Bracket	D-Series 0 Area luminaire	107
	F1	4	HOLOPHANE EUROPE LIMITED	1 x OSK0 1.1A154 BLC on 8in Column	D-Series 0 Area luminaire	81
	G	5	HOLOPHANE EUROPE LIMITED	WAP 1.1A154 FW at Height Shown	WALLPACK	81
	H	23	HOLOPHANE EUROPE LIMITED	WAP 1.1A154 FW at Height Shown	WALLPACK	90
	I	1	HOLOPHANE EUROPE LIMITED	DWL 1.1A154 FW W01 at Height Shown	Downer 0 Wall	10.3
	J	19	Holophane Europe	8807	Vertical Linear at Height Shown	81

Statistics				
Description	Symbol	Avg	Min	Min/Avg
Car Park A - 20/0.25Uo	+	23 lux	6 lux	0.26
Car Park B - 20/0.25Uo	+	21 lux	9 lux	0.43
Car Park D and Side - 20/0.25Uo	+	21 lux	6 lux	0.29
Car Park Rear - 20/0.25Uo	+	21 lux	5 lux	0.24
Loading Yard - 20/0.40Uo	+	24 lux	10 lux	0.42
Service Yard Block 4 - 20/0.40Uo	+	24 lux	4 lux	0.17
Access Roads 0 20/0.40Uo	+	21 lux	9 lux	0.43



Vertical Split

Statistics			
Description	Symbol	Avg	Max
Vertical Split to Residents	+	0 lux	0 lux
Vertical Split to Residents, Building	+	0 lux	1 lux



SITE PLAN AS PROPOSED

SCALE 1:500

Plan View

Scale: 1:500

Notes :

- Electrical services shall be installed 600mm deep, in black rigid PVC, with electrical meter base at 250mm below the finished ground level. Access chambers shall be installed every 35m or at any change of direction. 200 x 150mm ducts shall be installed. Indicative positions have been shown in some areas.
- All services to be installed to BS7671 18th Edition, including all amendments.
- The drawing is indicative only, to show the works that are required for tender purposes only and is not to be used as an installation drawing.
- Duct routes are indicative only. The contractor shall allow to install suitably sized ducts and quantities to suit site requirements and safety tenant specifications as indicated the services specification, Part C 2.29 and 2.31.
- All incoming service positions to be agreed with the design team and tenants.
- All services to be installed in combined trenches where possible.
- All below ground services are to be installed c/w service specific traceable marker/warning tape located at a suitable height above associated service, throughout the entire length of service.

PL2 Updated to comments	21.03.23	EA	JW
Rev Details	Date	Dwn	App

BENNETT WILLIAMS
BUILDING SERVICES CONSULTANTS

106 Drons Green Road
Dudley,
West Midlands
DY2 7DH

Tel | 01384 236 222
Email | office@bennettwilliams.co.uk
Web | www.bennettwilliams.co.uk

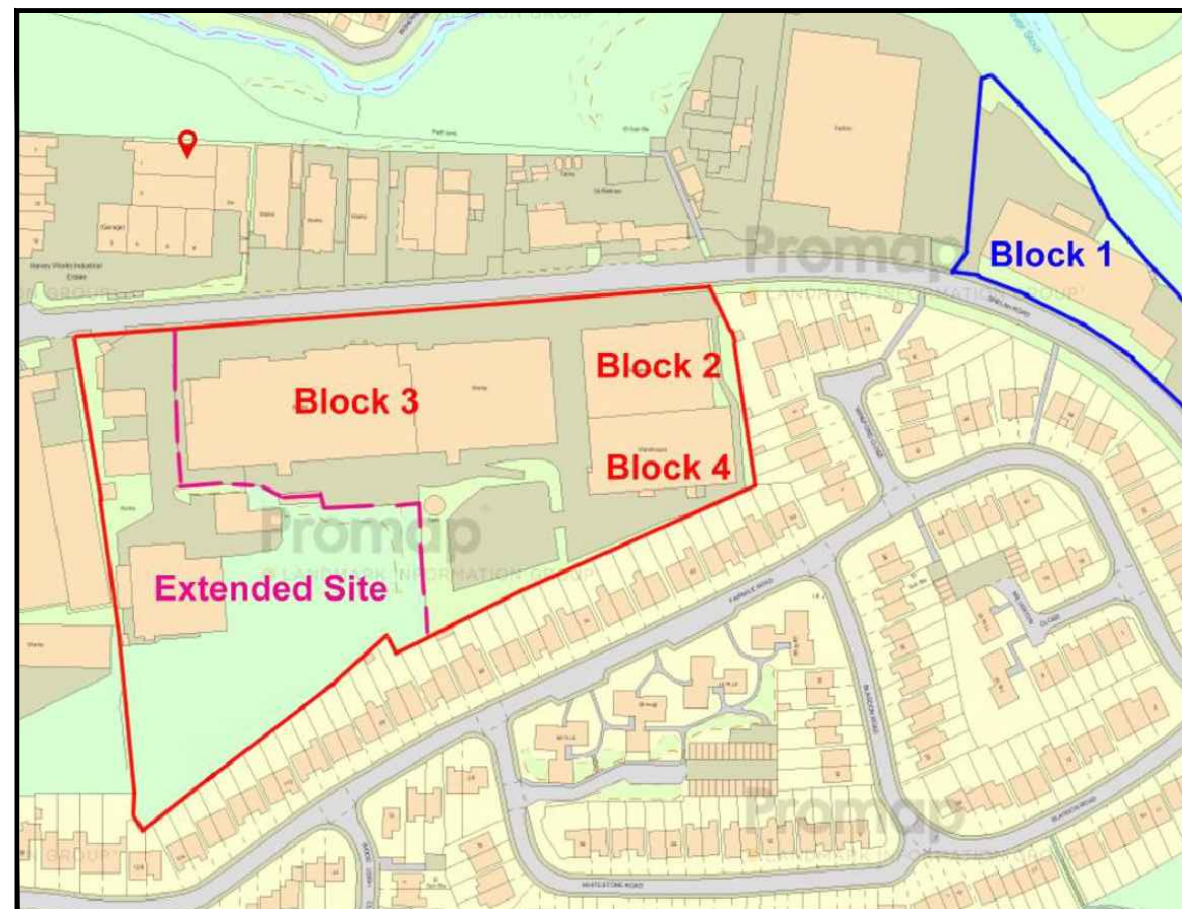
Client :
Hayley Group

Project :
Hayley Group, Halesowen

Description :
Indicative External Lighting Services

Date : 28/10/2022	Dwn : RH
Scale : 1:500 @ A0	Ok'd : JW
Drawing No. : 11884-E-001	Rev. : PL2

PLANNING



PLANNING

number	drawn	date	scales	A 18.11.22		General Planning Application Updated		PS SC			
				rev.	date	drawn		chk'd			
										Tel: 0121 550 0359 Fax: 0121 550 8088 e-mail: info@gould-singleton.co.uk	
				Gould Singleton Architects Earls Way, Halesowen, West Midlands, B63 3HR							
				NTS @ A3	Hayley Group Limited Shelah Road Halesowen West Midlands - B63 3XL						
				01.11.2022	Block Plan & Aerial Images						
				PS SC							
			checked	1-1883-002A	This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.						

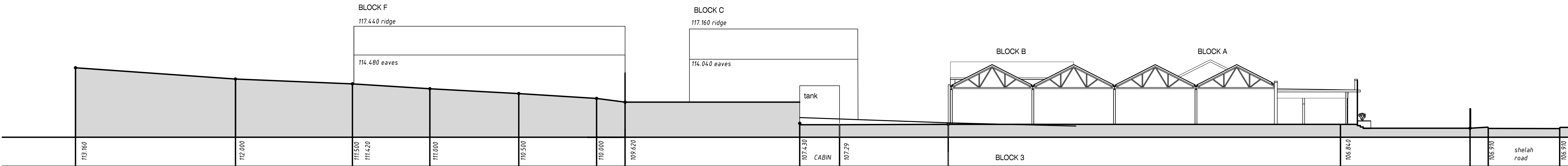


TOPOGRAPHICAL SURVEY AS EXISTING SCALE 1:500

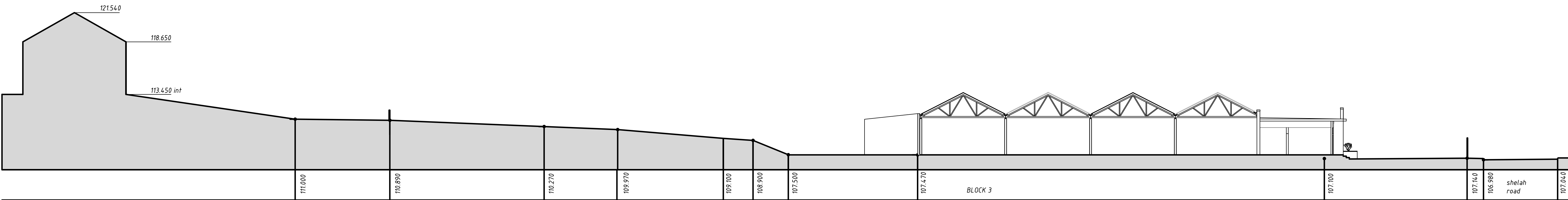
NB: Buildings adjacent to application site are illustrative only

PLANNING

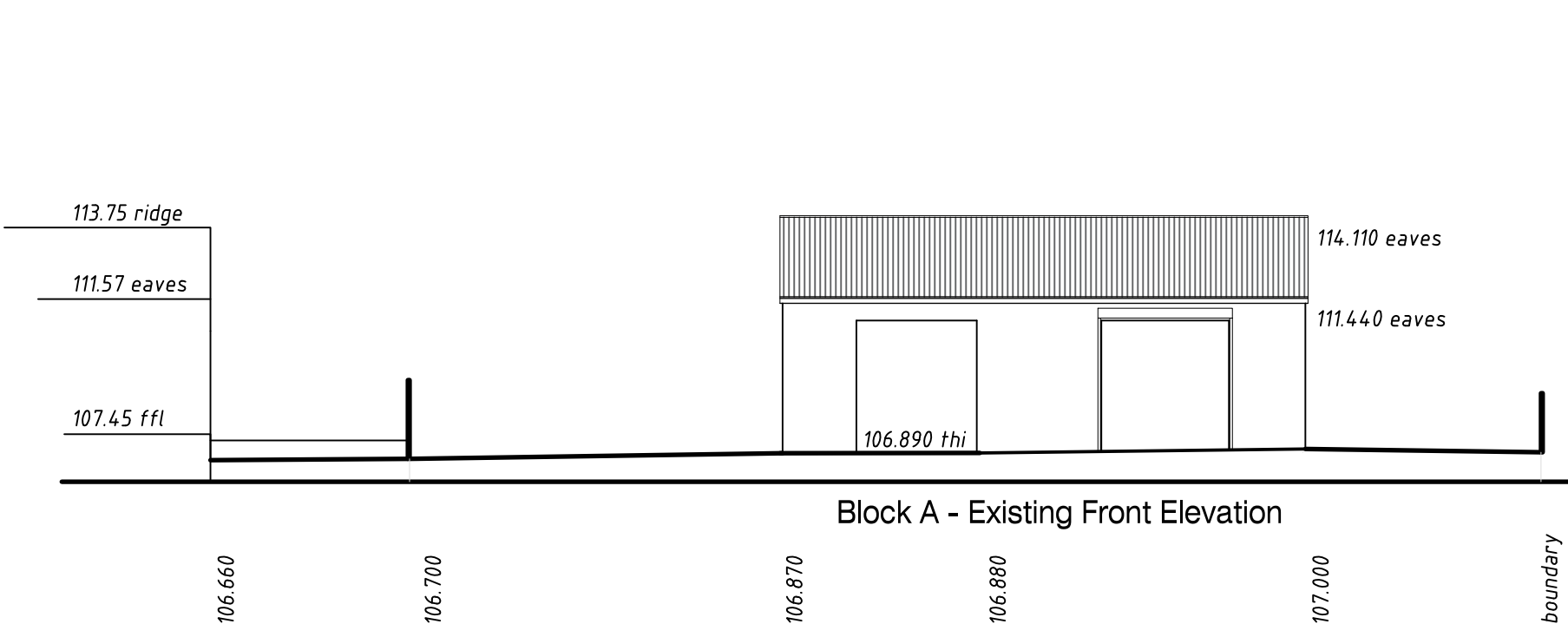
number drawn date checked 21.1883.003A	PS SC	1:500@A1	01.11.2022	Hayley Group Limited Shelah Road Halesowen West Midlands - B63 3XL Topographical Survey As Existing	This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.		
A		18.11.22		General Planning Application Updated		PS SC	
rev.		date		drawn		chk'd	
		Gould Singleton Architects		Earls Way, Halesowen, West Midlands, B63 3HR		Tel: 0121 550 0359 Fax: 0121 550 8088 e-mail: info@goald-singleton.co.uk	



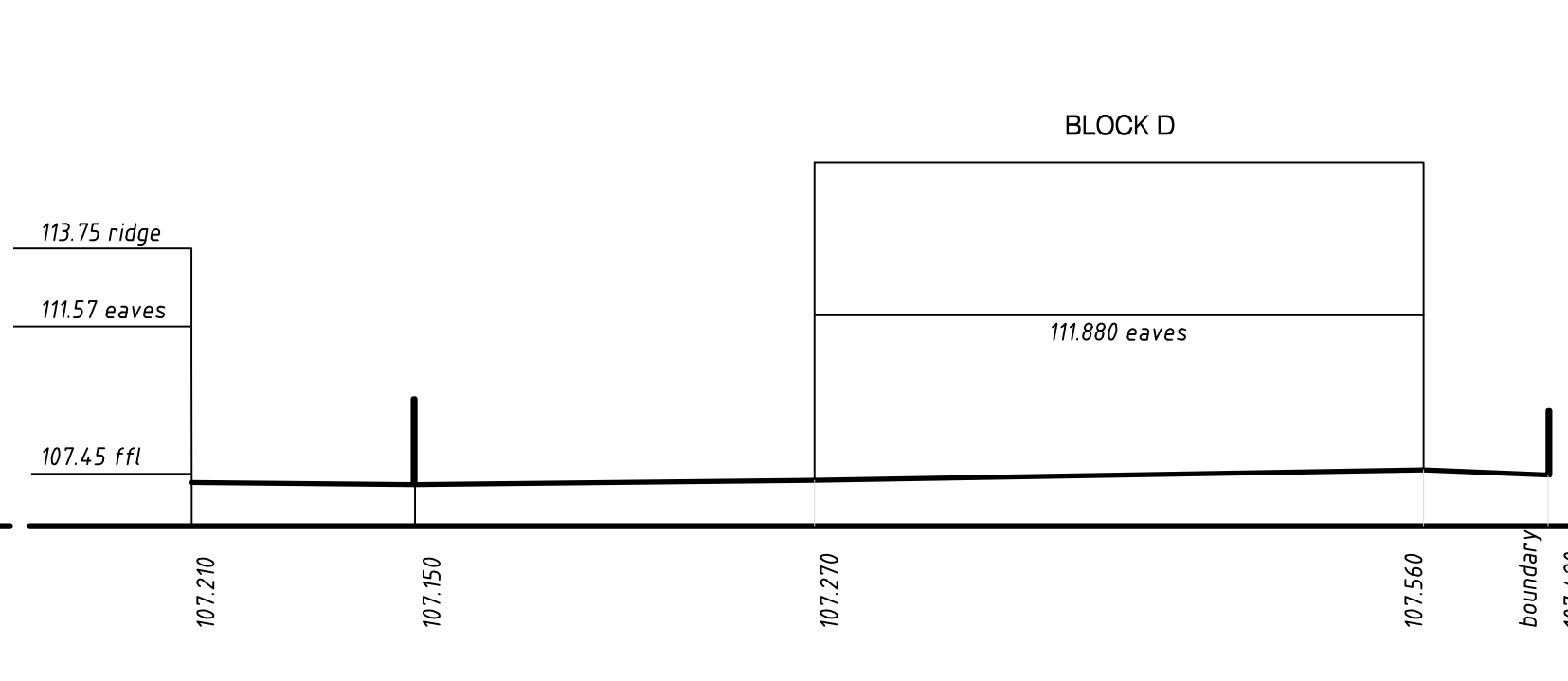
Datum 106.00
SECTION A-A



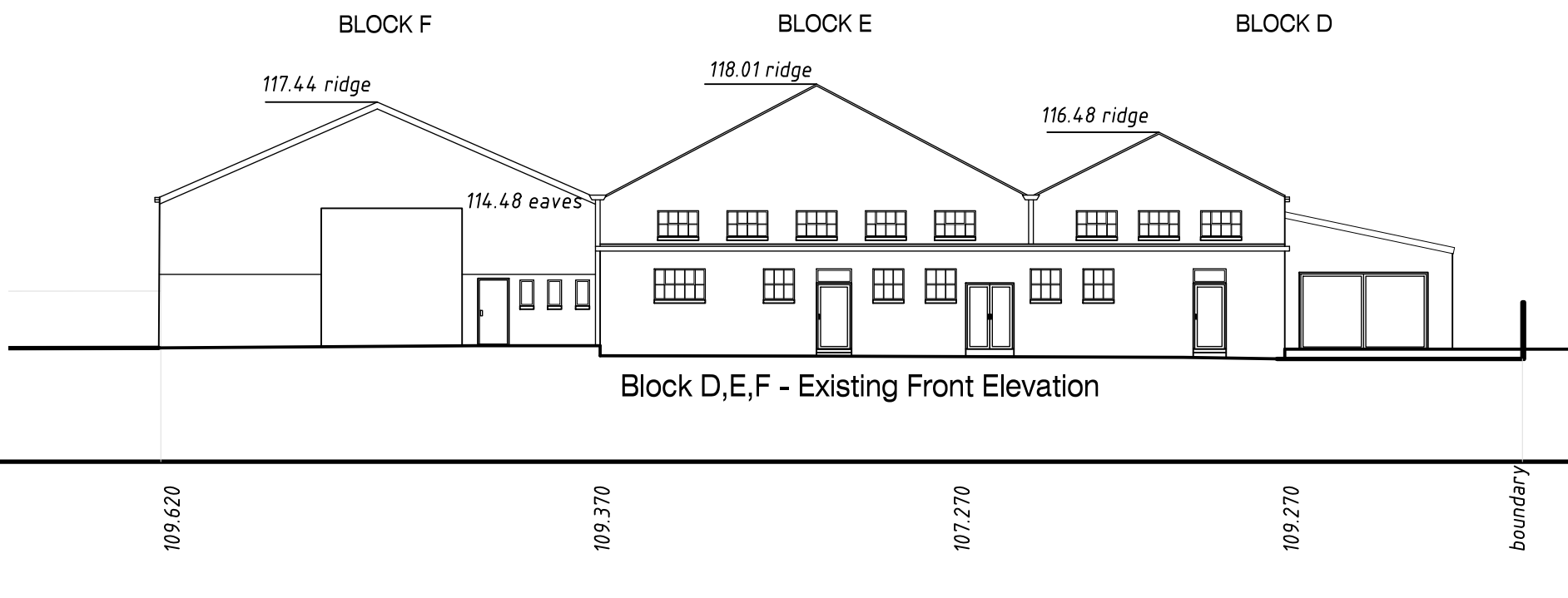
Datum 106.00
SECTION B-B



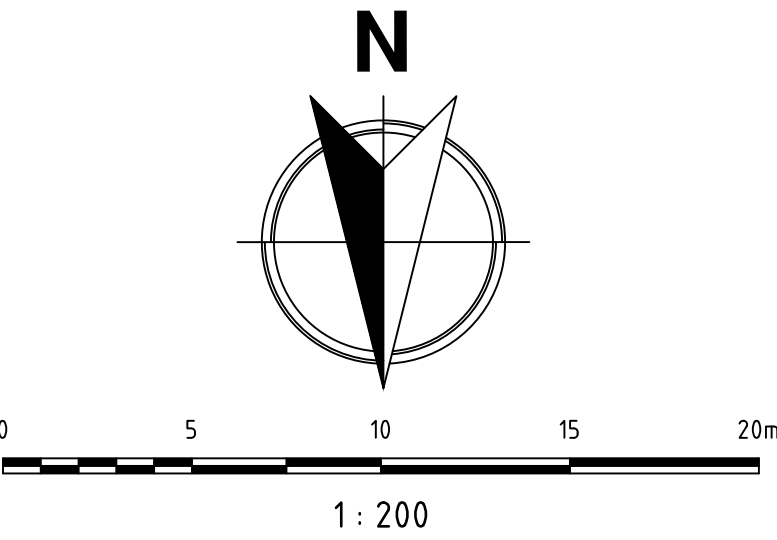
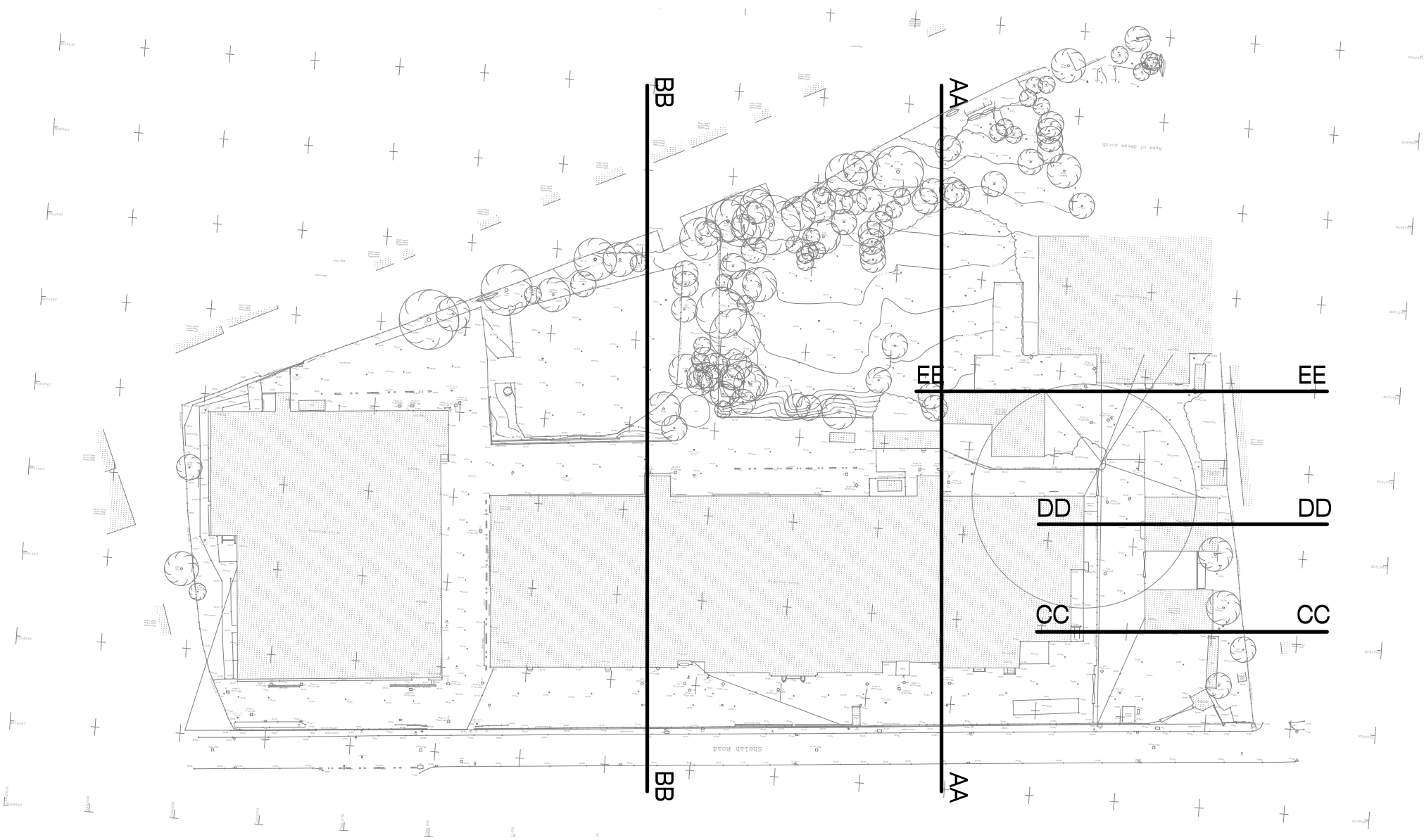
Datum 106.00
SECTION C-C



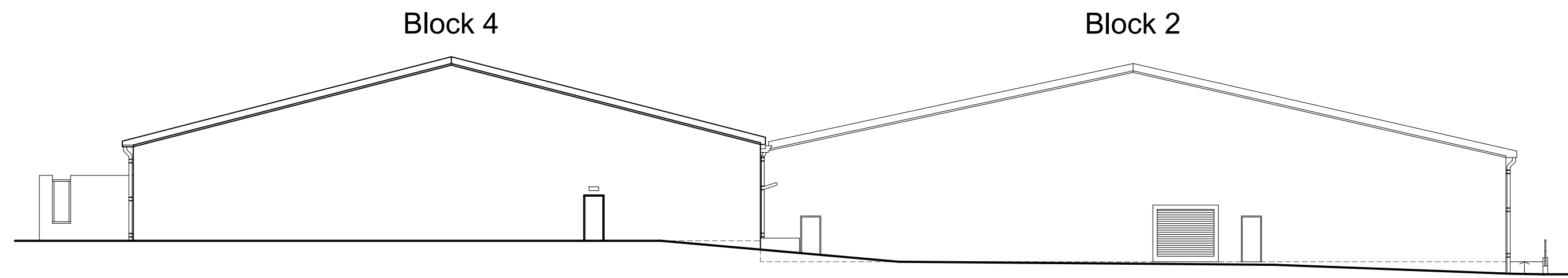
Datum 106.00
SECTION D-D



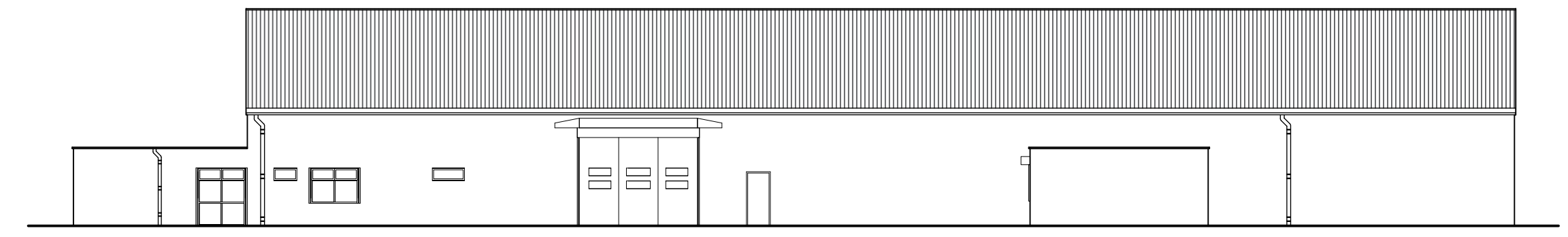
Datum 106.00
SECTION E-E



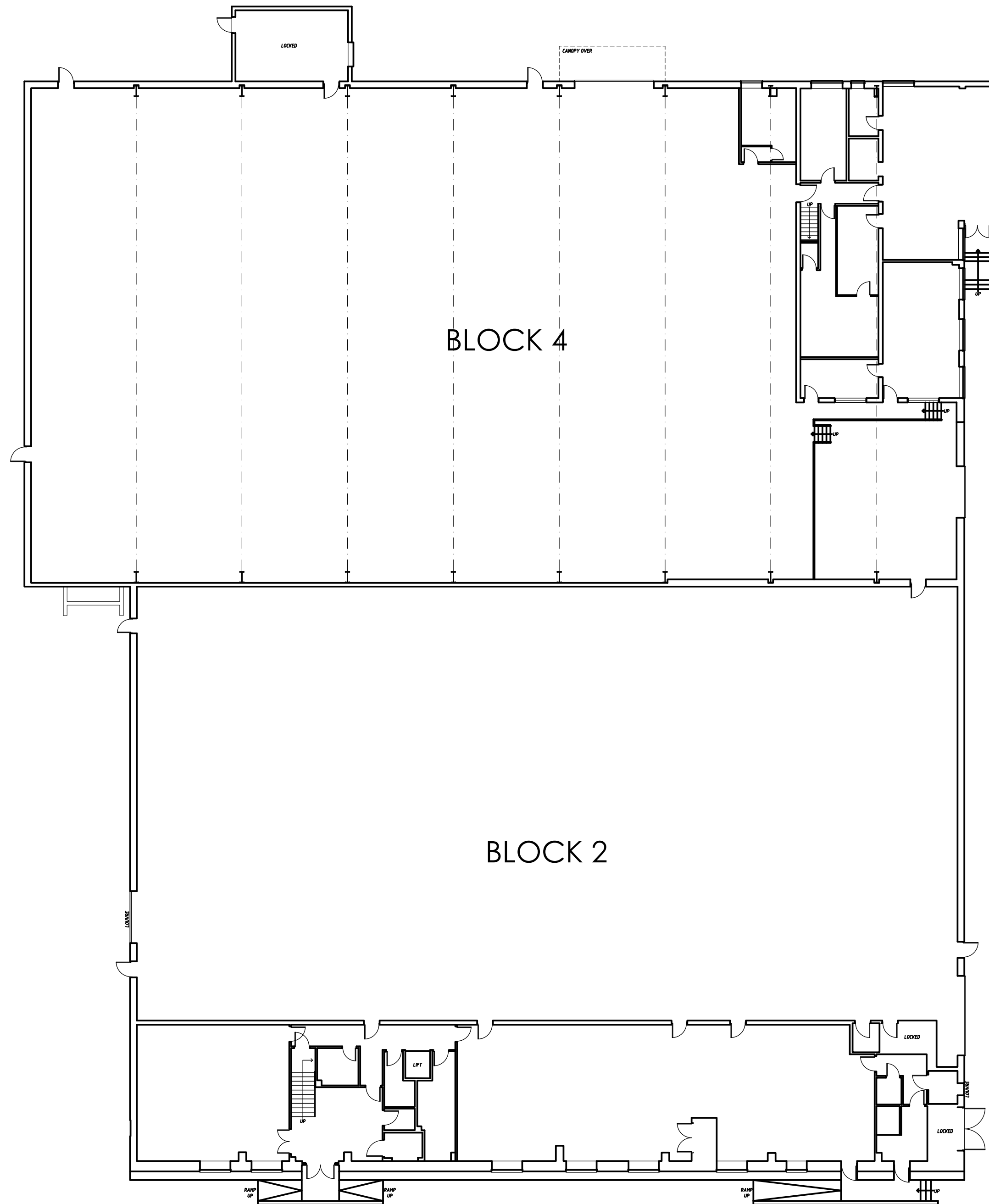
A 18.11.22		General Planning Application Updated		PS	SC
rev.	date				drawn chk'd
		Gould Singleton Architects			
		Earls Way, Halesowen, West Midlands, B63 3HR			
1:200@A1		Hayley Group Limited			
01.11.2022		Shelah Road			
		Halesowen			
		West Midlands - B63 3XL			
PS		SC		Site Sections As Existing	
21.1883.004A		This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.			



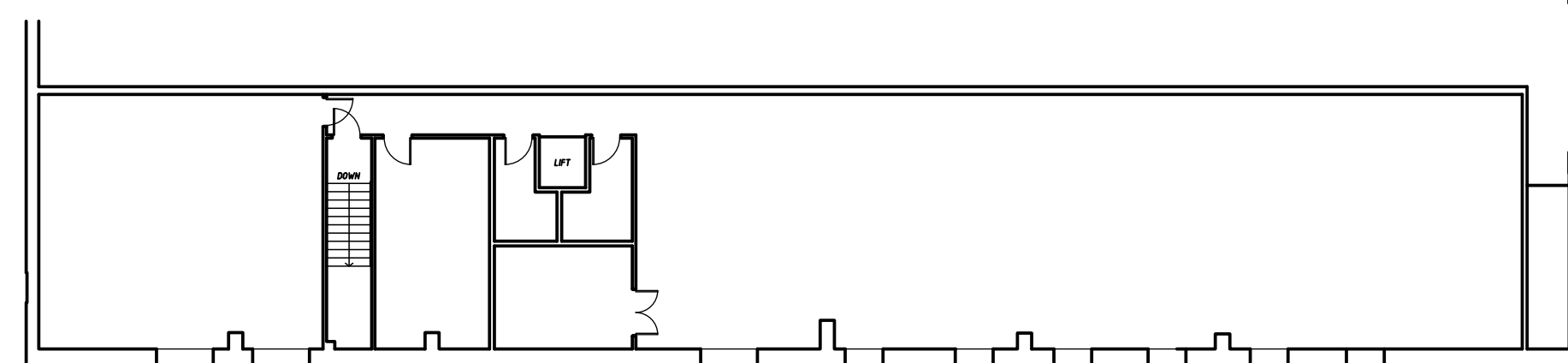
BLOCK 2 & 4 - SIDE ELEVATION - 1:200
VIEW 14



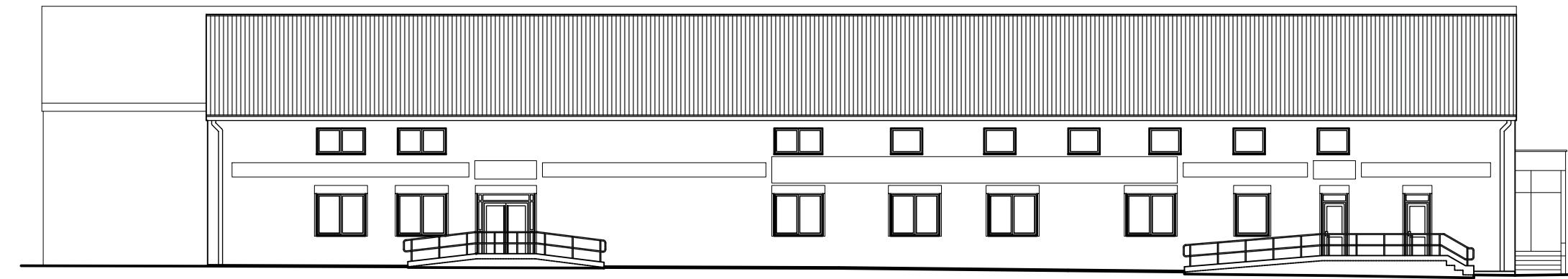
BLOCK 2 & 4 - REAR ELEVATION - 1:200
VIEW 15



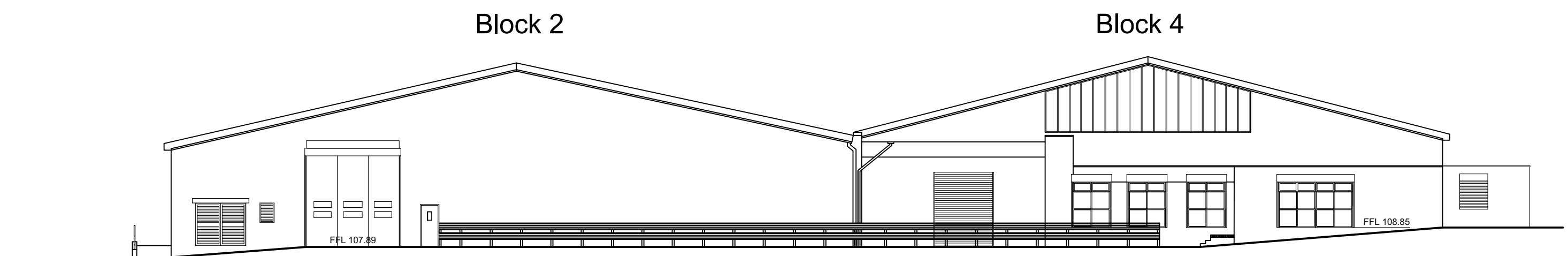
BLOCK 2 & 4 - GROUND FLOOR PLAN - 1:200



BLOCK 2- FIRST FLOOR PLAN - 1:200

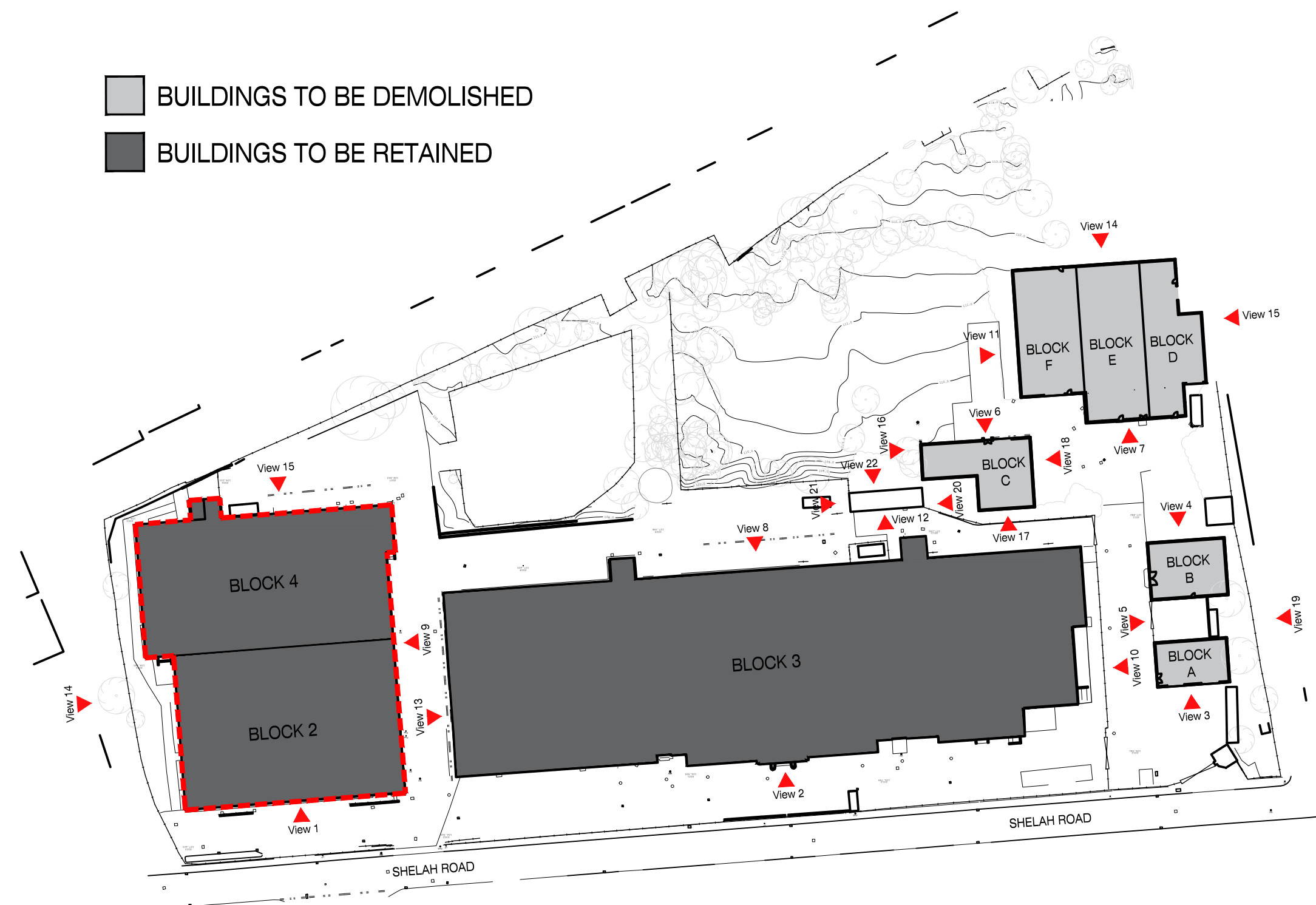


BLOCK 2 - FRONT ELEVATION - 1:200
VIEW 1



BLOCK 2 & 4 - SIDE ELEVATION - 1:200
VIEW 9

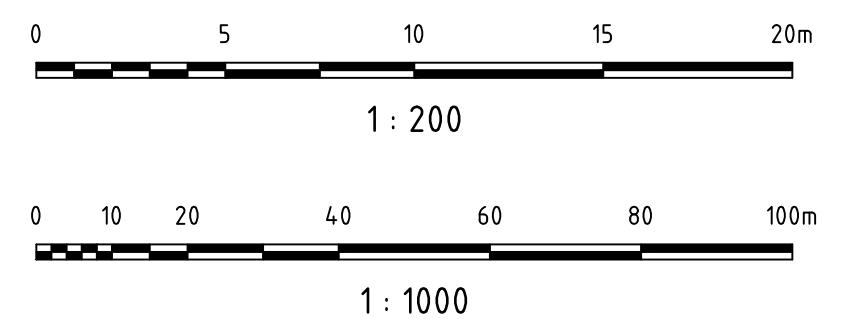
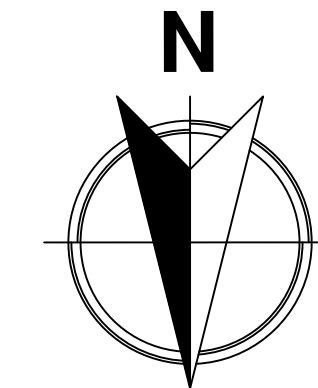
- BUILDINGS TO BE DEMOLISHED
- BUILDINGS TO BE RETAINED



EXISTING SITE PLAN - 1:1000

Note: Topo Drawings provided from 3rd party. Full survey and dimension check required.

FOR INDICATIVE PURPOSES ONLY



A 18.11.22 General Planning Application Updated PS SC

rev.	date	drawn	chk'd



Gould Singleton Architects
Earls Way, Halesowen, West Midlands, B63 3HR
Tel: 0121 550 0359 Fax: 0121 550 8088
e-mail: postmaster@gould-singleton.co.uk

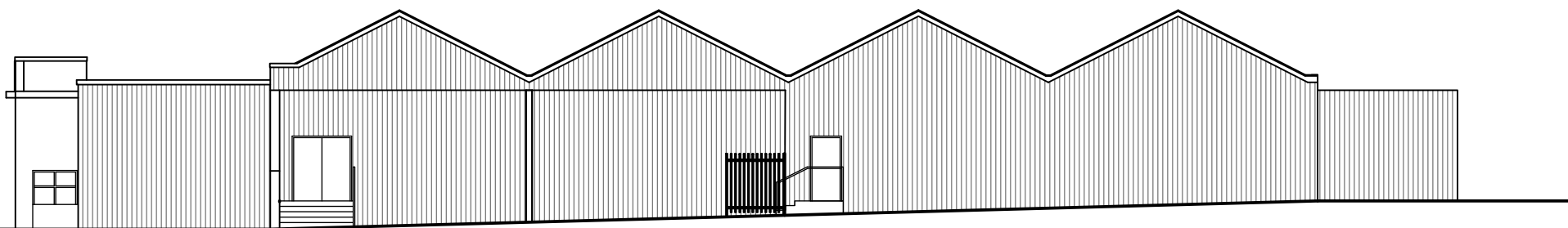
number drawn scales
date 01.11.2022
checked PS SC

Varies@A1
Hayley Group Limited
Shelah Road
Halesowen
West Midlands

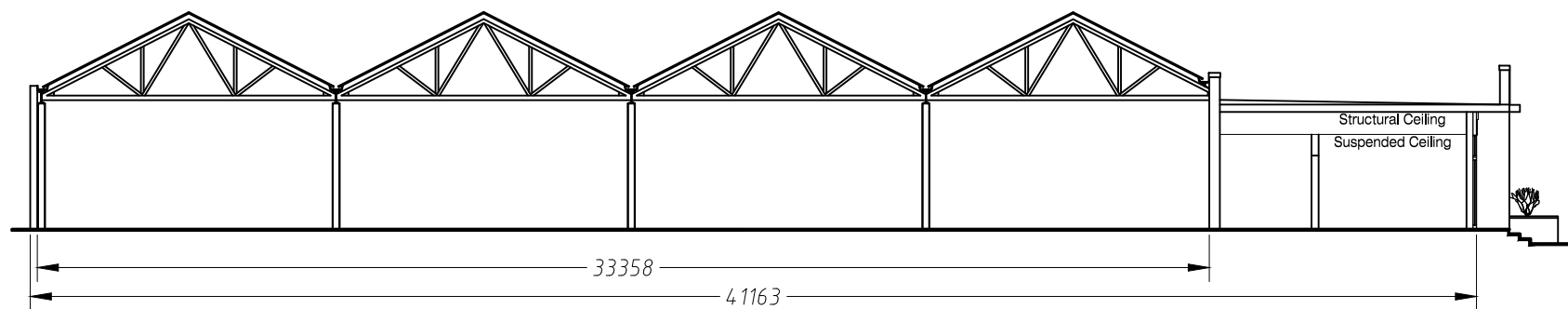
Blocks 2 & 4 Plans & Elevations As Existing

This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.

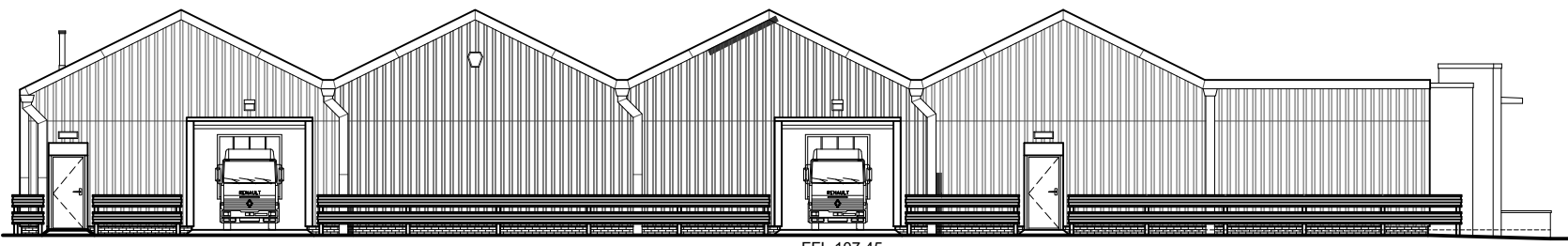
PLANNING



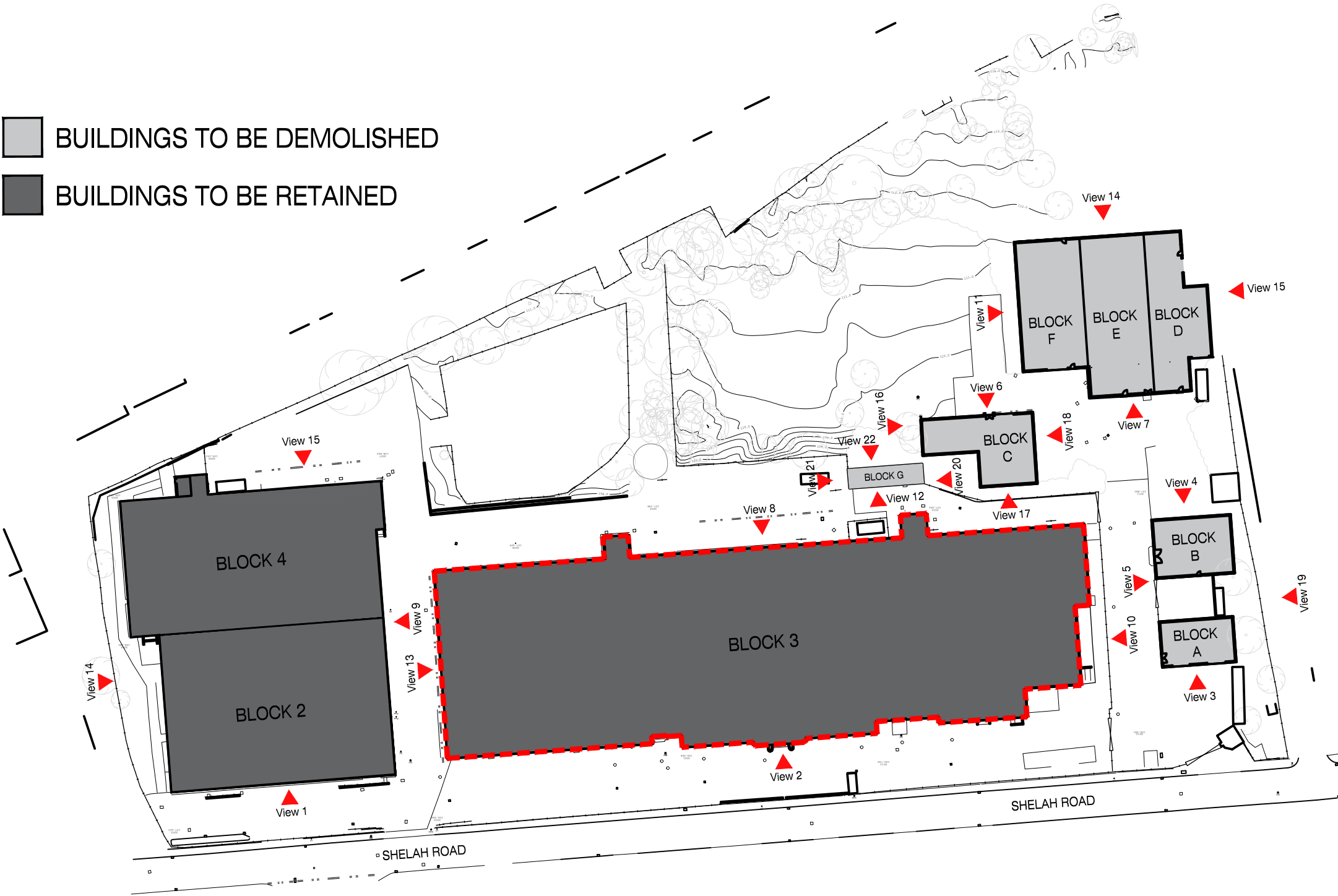
BLOCK 3 - SIDE ELEVATION D - 1:200 - VIEW 10



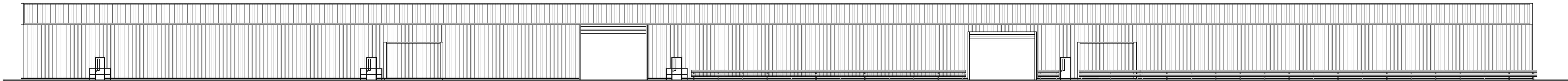
BLOCK 3 - SECTION A-A - 1:200



BLOCK 3 - SIDE ELEVATION B - 1:200 - VIEW 13



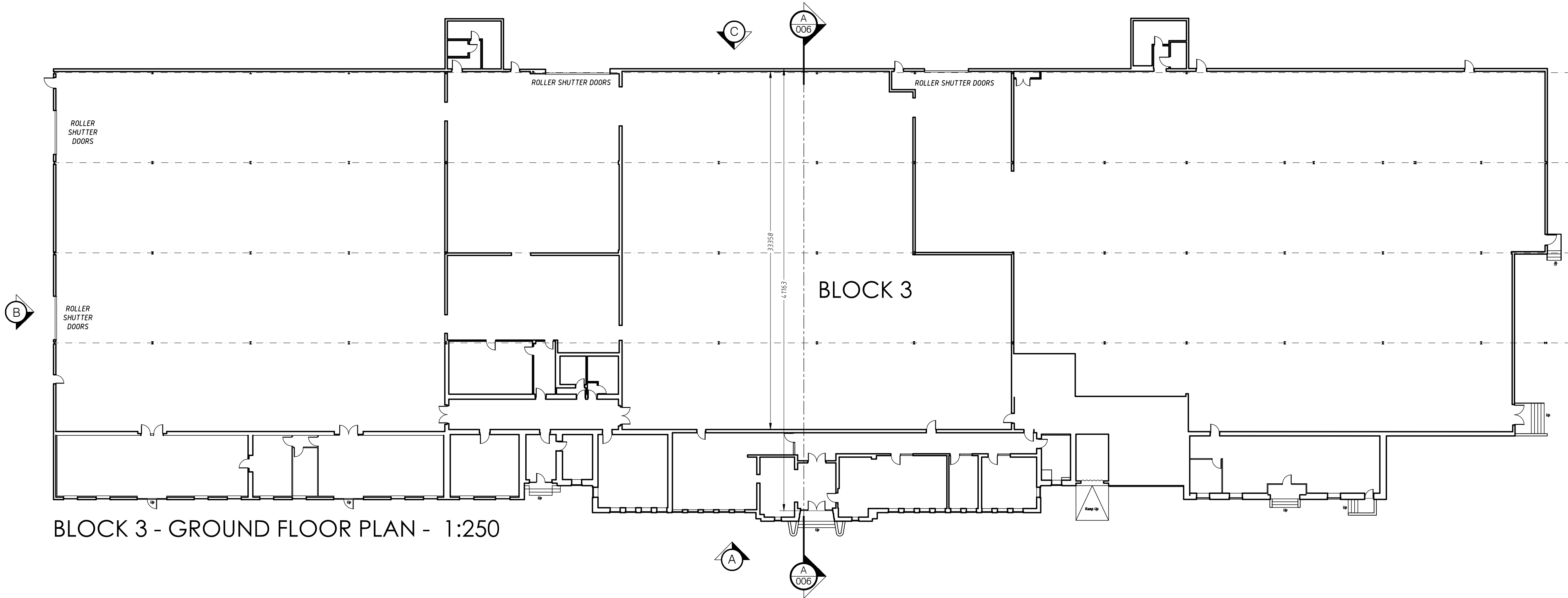
EXISTING SITE PLAN - 1:1000



BLOCK 3 - REAR ELEVATION C - 1:200 - VIEW 8



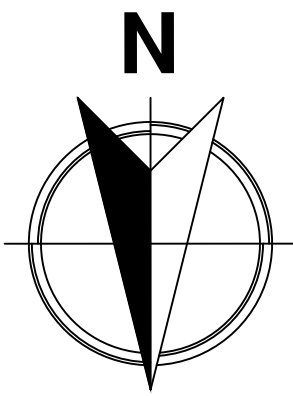
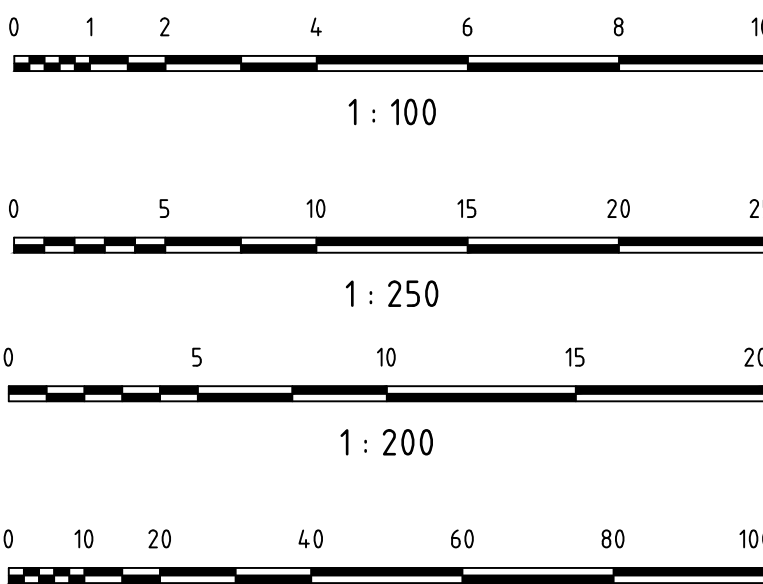
BLOCK 3 - FRONT ELEVATION A - 1:200 - VIEW 2



BLOCK 3 - GROUND FLOOR PLAN - 1:250

Note: Topo Drawings provided from 3rd party. Full survey and dimension check required.

FOR INDICATIVE PURPOSES ONLY



A 18.11.22 General Planning Application Updated PS SC

rev. | date | drawn | chk'd |

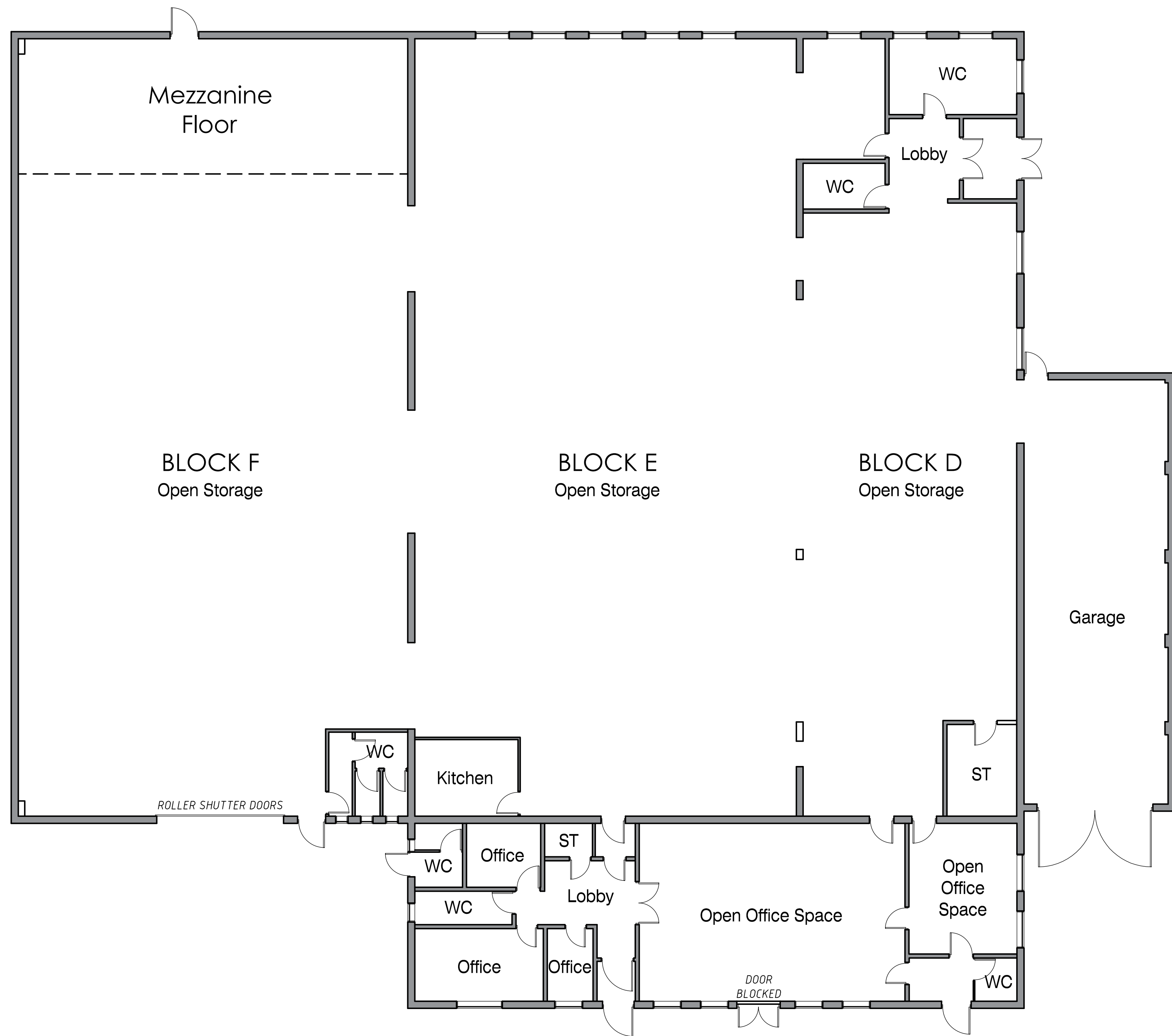
Gould Singleton Architects
Earls Way, Halesowen, West Midlands, B63 3HR
Tel: 0121 550 0359 Fax: 0121 550 8088
e-mail: postmaster@goald-singleton.co.uk

Varies@A1 Hayley Group Limited
Shelah Road
Halesowen
West Midlands

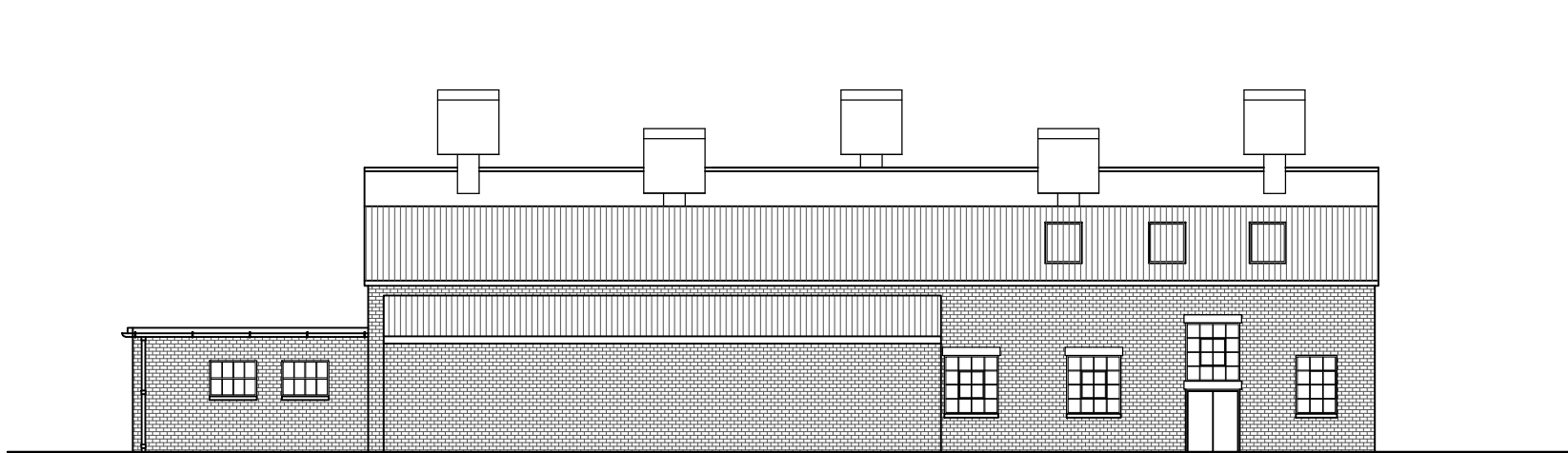
01.11.2022 PS checked SC Block 3 Plan, Elevations & Section As Existing

21-1883/006A This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.

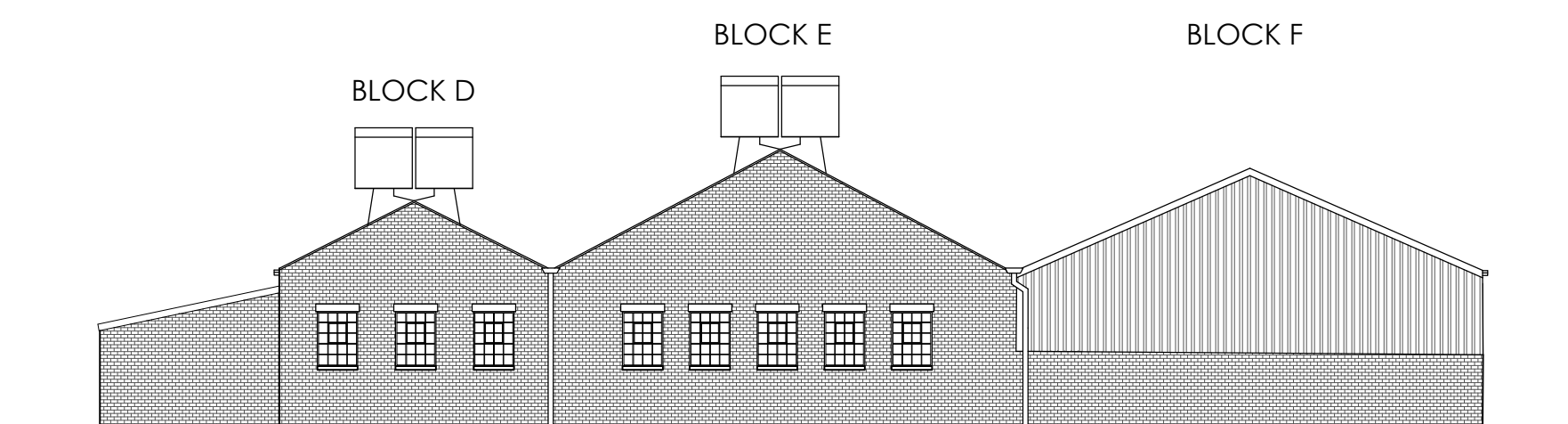
PLANNING



BLOCKS D, E & F - EXISTING FLOOR PLAN - 1:100

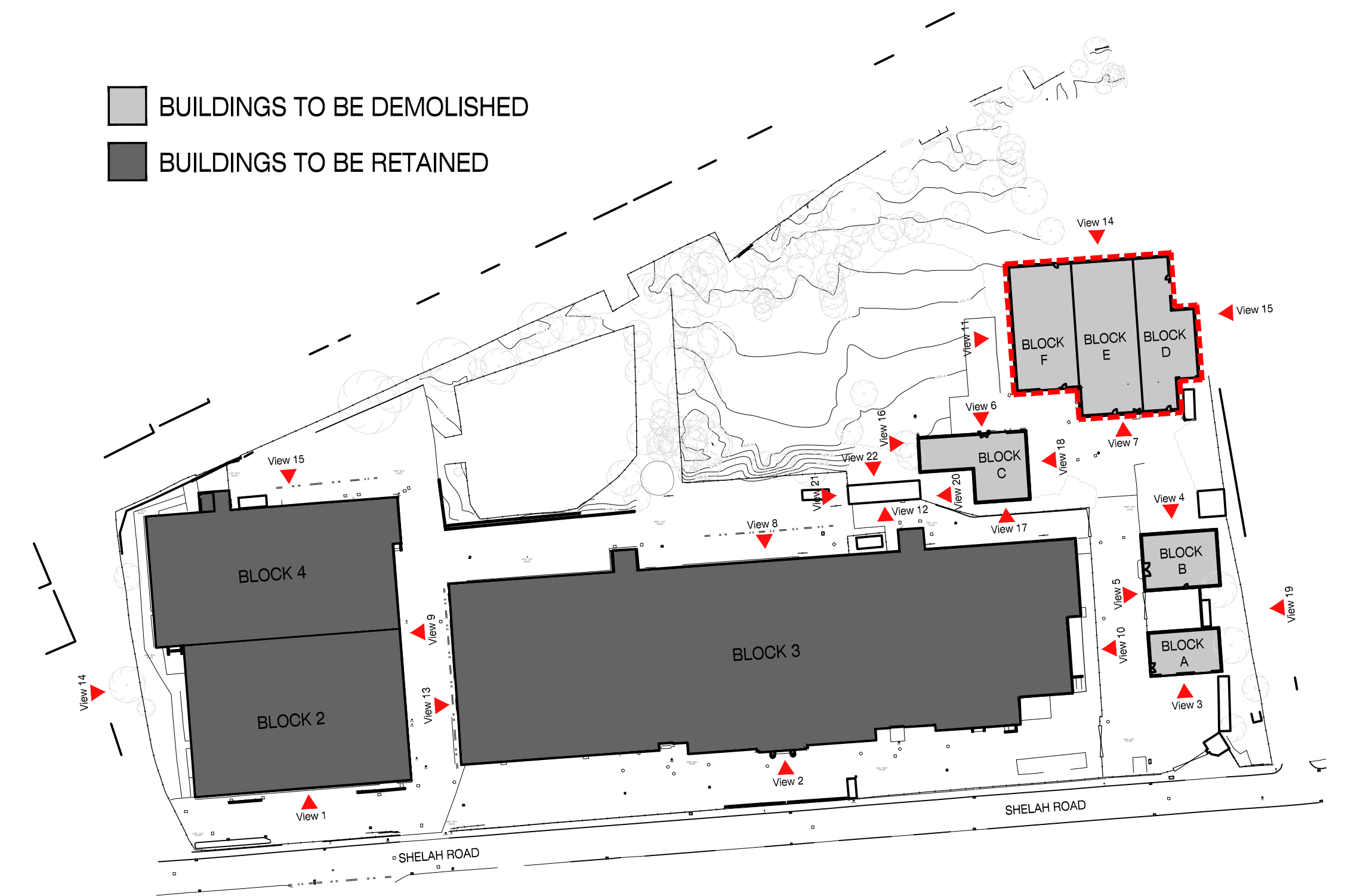


BLOCKS D - SIDE ELEVATION - 1:200 - VIEW 15

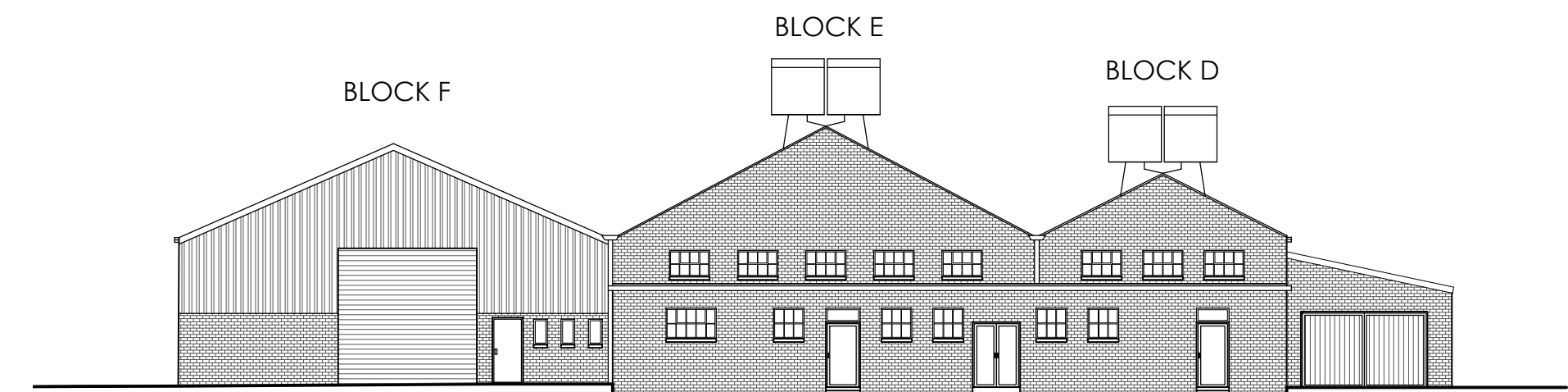


BLOCKS D, E & F - REAR ELEVATION - 1:200 - VIEW 14

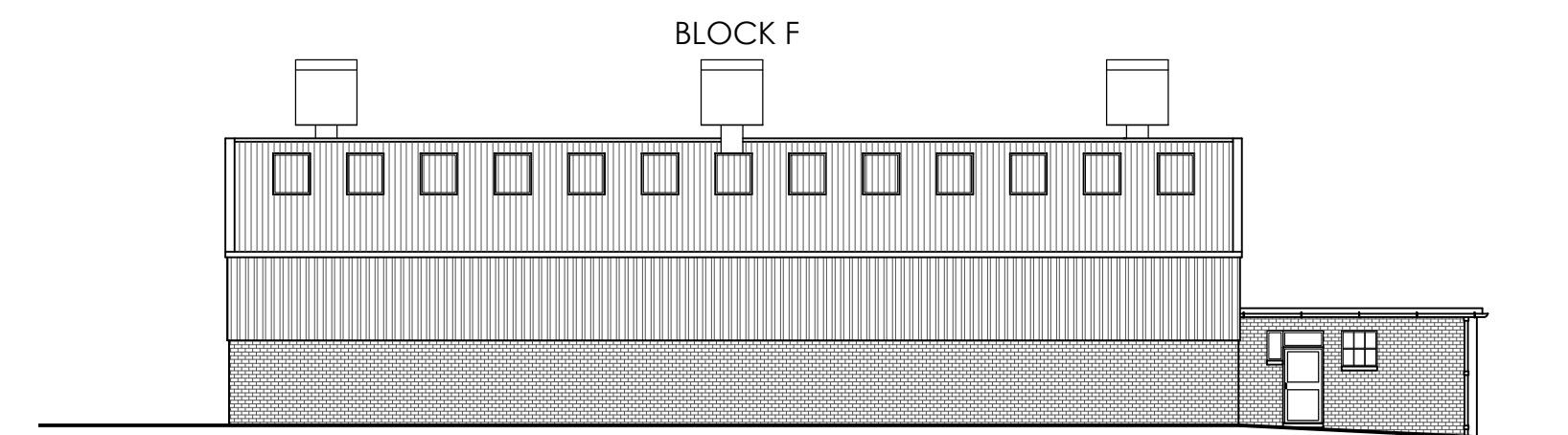
- BUILDINGS TO BE DEMOLISHED
- BUILDINGS TO BE RETAINED



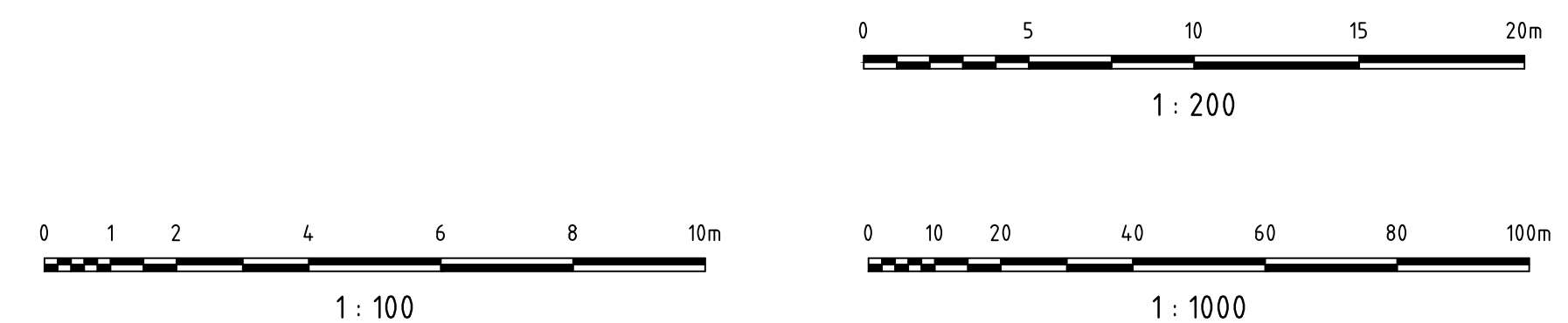
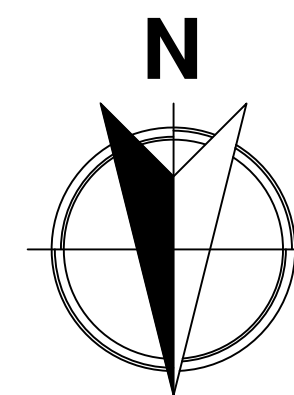
EXISTING SITE PLAN - 1:1000



BLOCKS D, E & F - FRONT ELEVATION - 1:200 - VIEW 7



BLOCKS D, E & F - SIDE ELEVATION - 1:200 - VIEW 11



Note: Topo Drawings provided from 3rd party. Full survey and dimension check required.

FOR INDICATIVE PURPOSES ONLY

PLANNING

number	drawn	PS	checked	SC	21-1883/007A
date	01.11.2022				
rev.	18.11.22				
date	18.11.22				
scale	Varies@A1				
drawn	dgte				
checked	SC				
number	drawn	PS	checked	SC	21-1883/007A

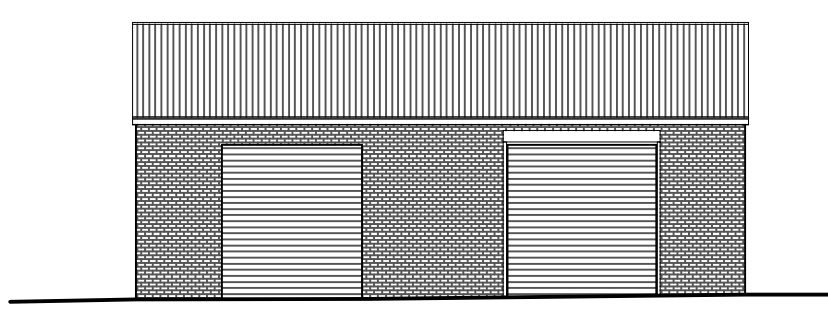


Gould Singleton Architects
Earls Way, Halesowen, West Midlands, B63 3HR

Hayley Group Limited
Shelah Road
Halesowen
West Midlands

Blocks D, E & F Plan & Elevations As Existing

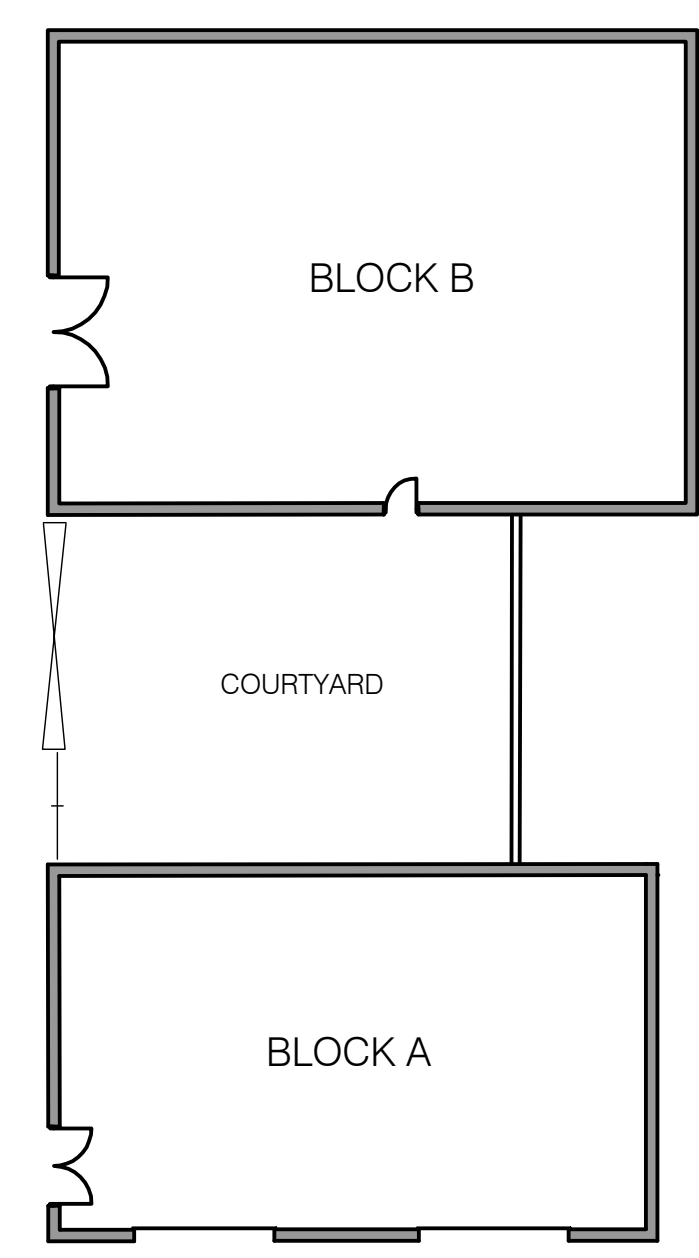
This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.



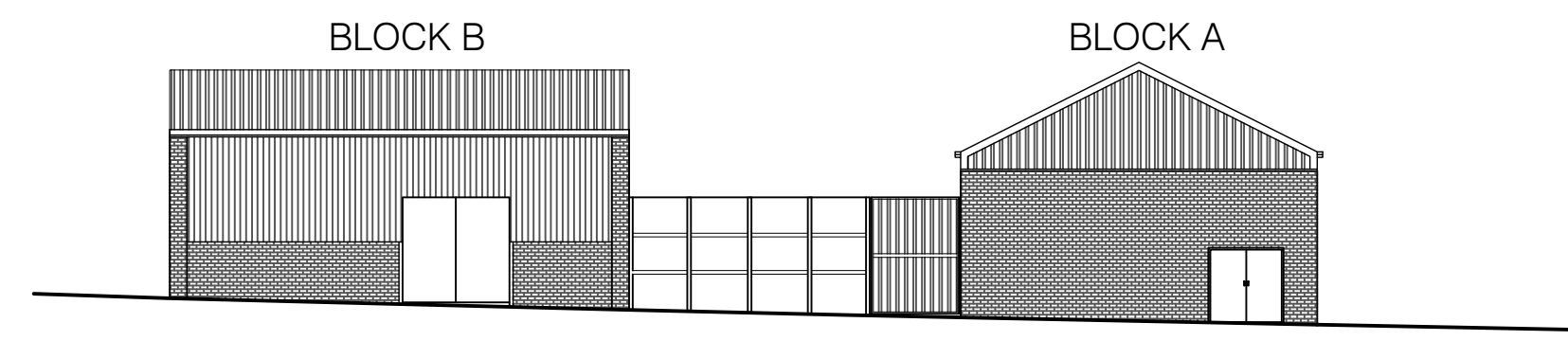
BLOCK A - FRONT
ELEVATION - 1:200
VIEW 3



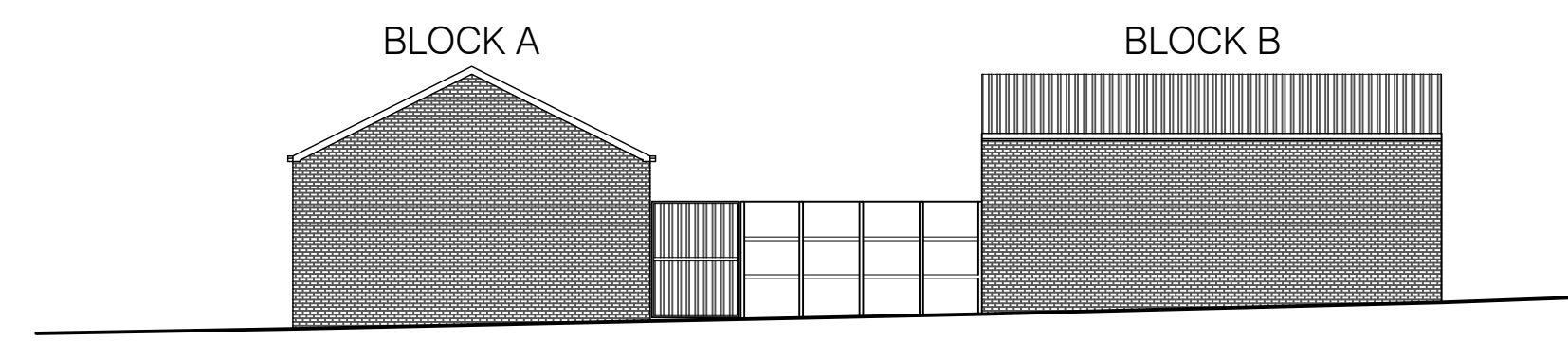
BLOCK B - SIDE
ELEVATION 1:200
VIEW 4



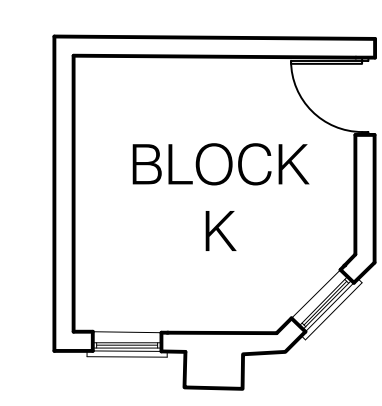
BLOCK A - EXISTING
FLOOR PLAN - 1:200



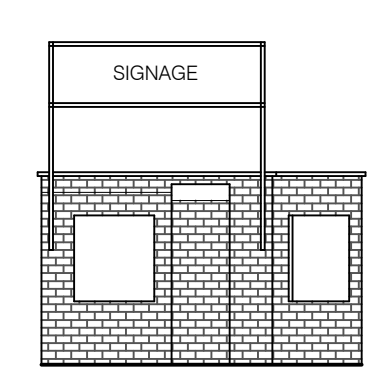
BLOCKS A & B - SIDE
ELEVATION - 1:200
VIEW 5



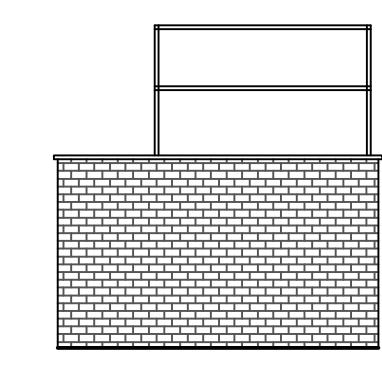
BLOCKS A & B - REAR
ELEVATION - 1:20
VIEW 19



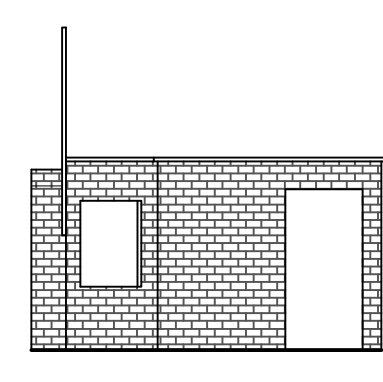
BLOCK K - PLAN
1:100



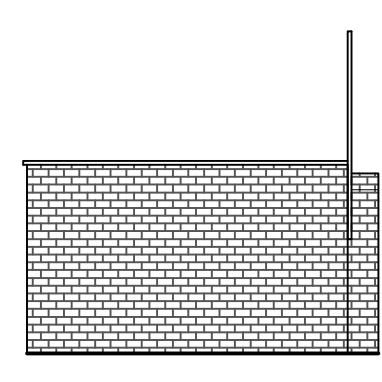
BLOCK K - FRONT
ELEVATION - 1:100
VIEW A



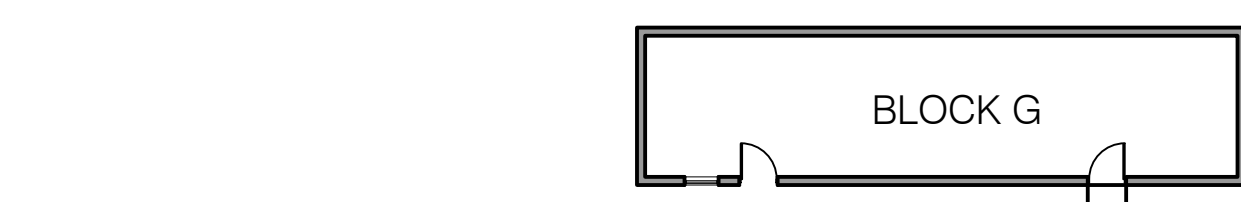
BLOCK K - REAR
ELEVATION - 1:100
VIEW C



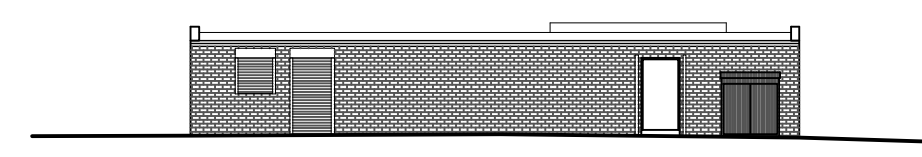
BLOCK K - SIDE
ELEVATION - 1:100
VIEW D



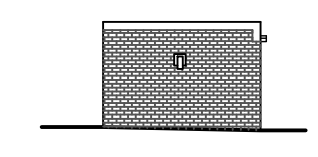
BLOCK K - SIDE
ELEVATION - 1:100
VIEW B



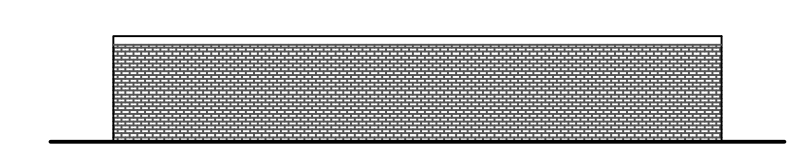
BLOCK G - EXISTING
FLOOR PLAN - 1:200



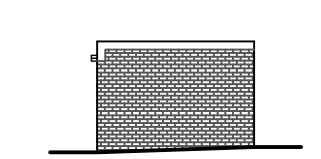
BLOCK G - FRONT
ELEVATION - 1:200
VIEW 12



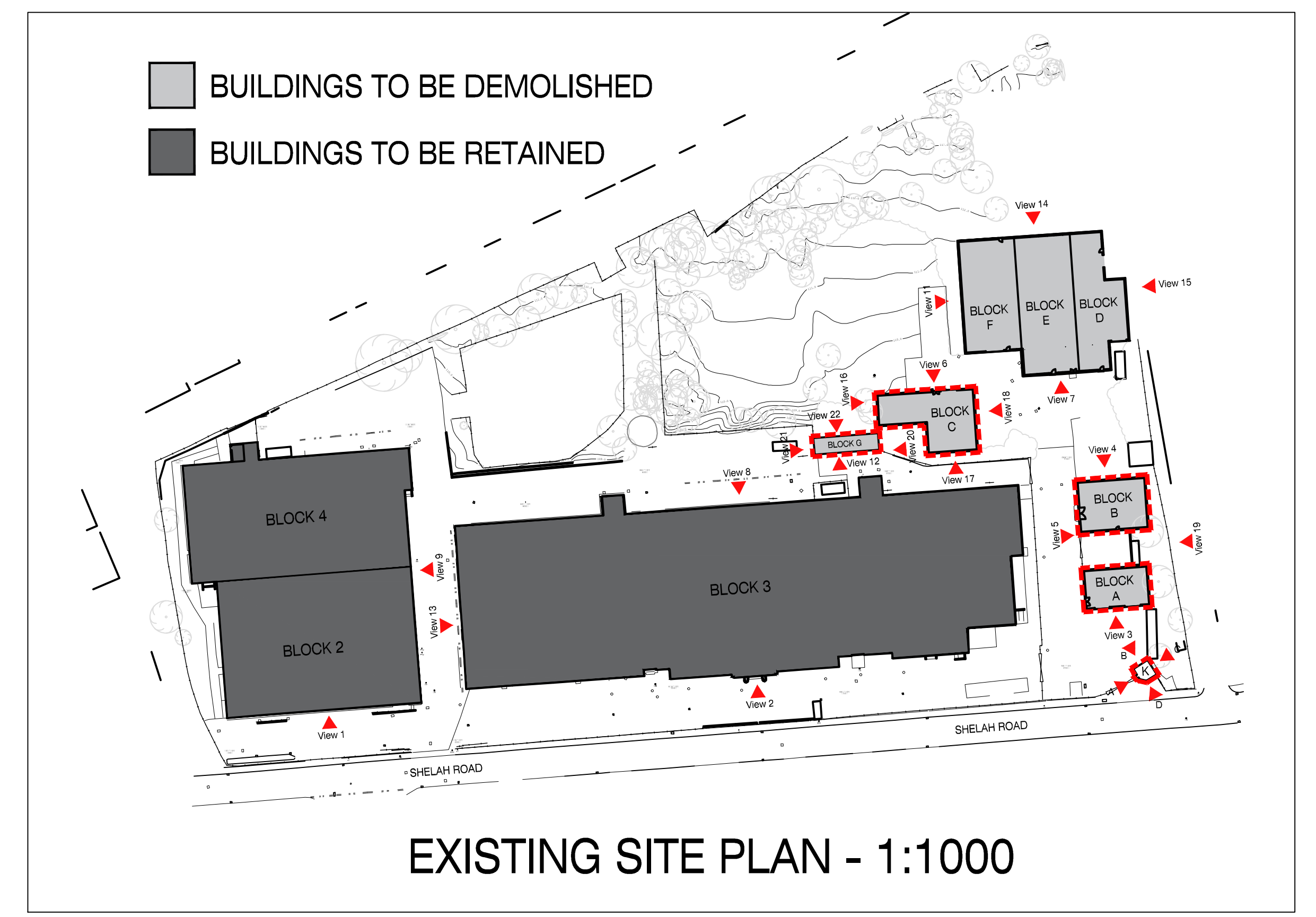
BLOCK G - FRONT
ELEVATION - 1:200
VIEW 21



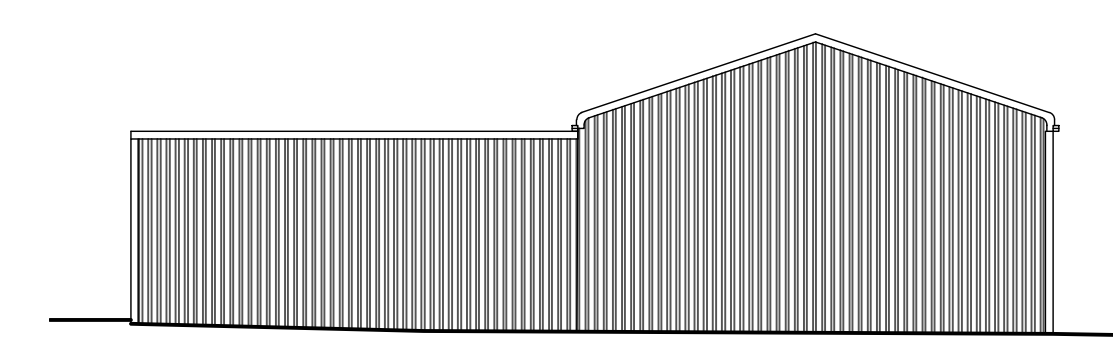
BLOCK G - FRONT
ELEVATION - 1:200
VIEW 22



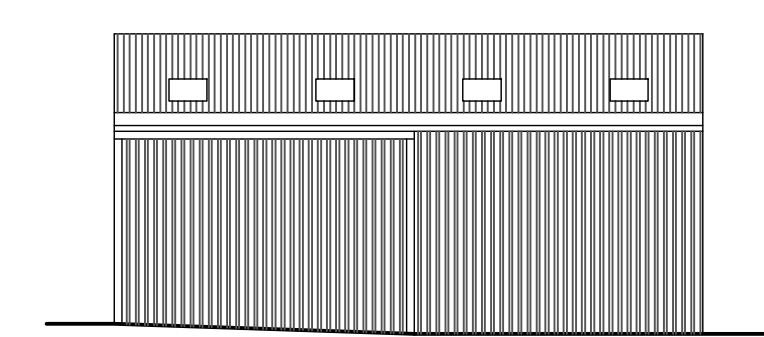
BLOCK G - FRONT
ELEVATION - 1:200
VIEW 20



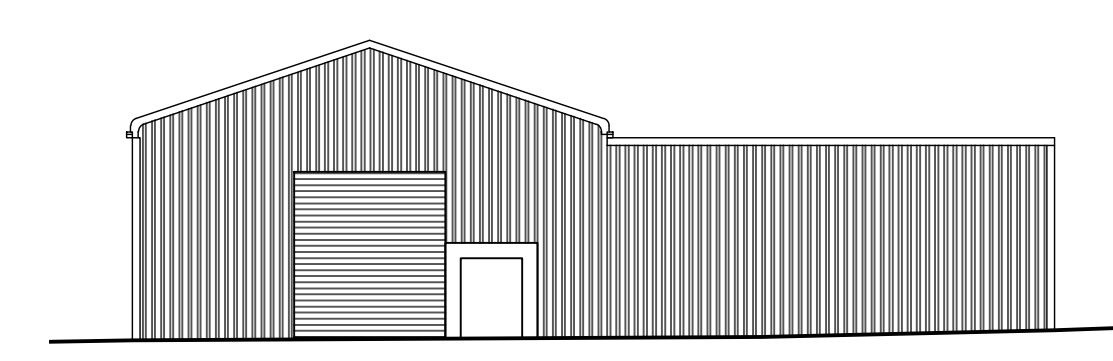
EXISTING SITE PLAN - 1:1000



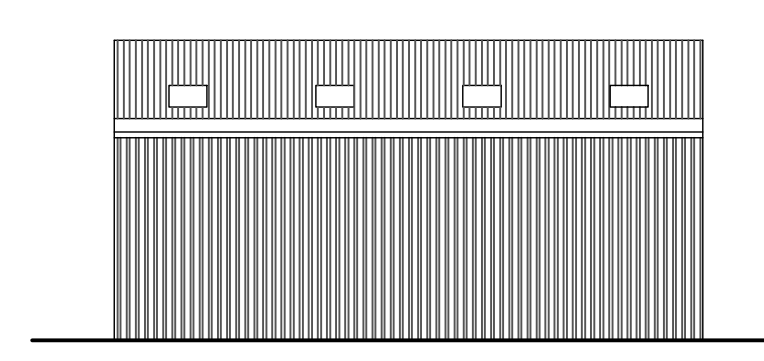
BLOCK C - FRONT
ELEVATION - 1:200
VIEW 17



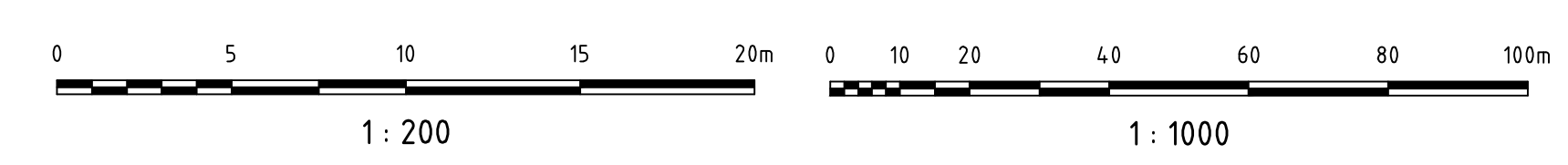
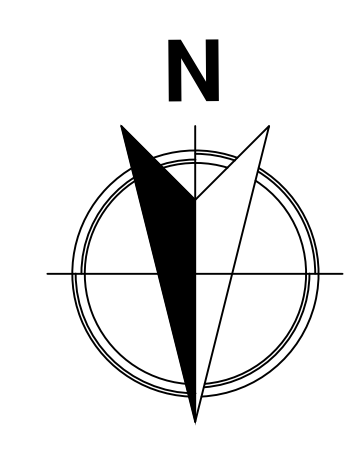
BLOCK C - SIDE
ELEVATION - 1:200
VIEW 16



BLOCK C - REAR
ELEVATION - 1:200
VIEW 6



BLOCK C - SIDE
ELEVATION - 1:200
VIEW 18



A	18.11.22	General Planning Application Updated	PS	SC
rev.	date		drawn	chk'd

number drawn
21-1883-008A

number scales
Varies@A1

date
17.11.2022

PS checked
SC

Gould Singleton Architects
Earls Way, Halesowen, West Midlands, B63 3HR

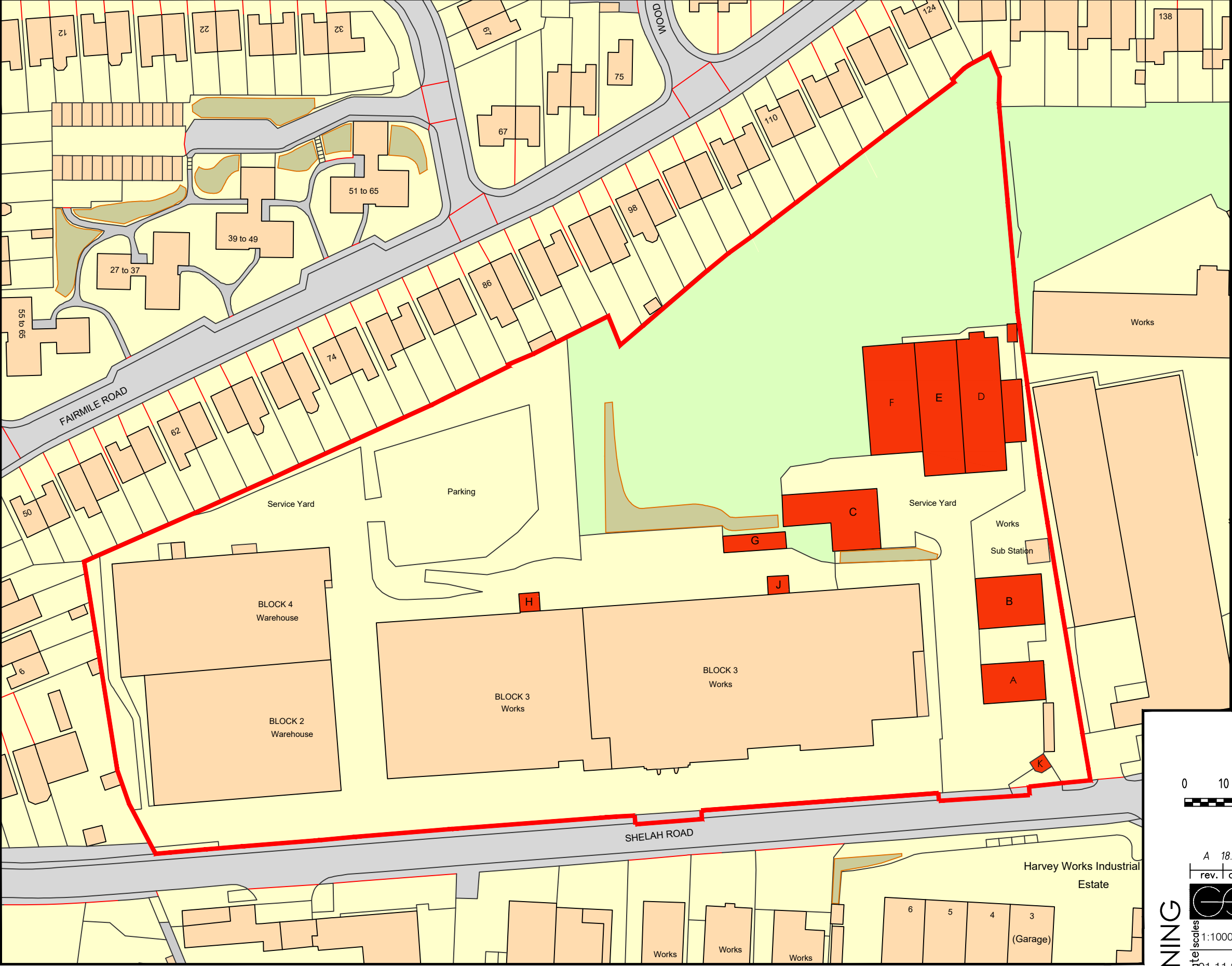
Hayley Group Limited
Shelah Road
Halesowen
West Midlands

Blocks A, B, C, G & K Plan & Elevations As Existing

This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Do not scale prints. Figured dimensions only to be taken from this drawing.

Note: Topo Drawings provided from 3rd party. Full survey and dimension check required.

FOR INDICATIVE PURPOSES ONLY



BUILDINGS TO BE DEMOLISHED

BLOCK A	158.0 m ²
BLOCK B	217.0 m ²
BLOCK C	282.9 m ²
BLOCK D	440.2 m ²
BLOCK E	362.6 m ²
BLOCK F	381.6 m ²
BLOCK G	69.8 m ²
BLOCK H	24.9 m ²
BLOCK J	24.7 m ²
BLOCK K	15.5 m ²

TOTAL 1,977.2 m²



1 : 1000

A	18.11.22	General Planning Application Updated	PS	SC
rev.	date		drawn	chk'd



Gould Singleton Architects
Earls Way, Halesowen, West Midlands, B63 3HR

Tel: 0121 550 0359 Fax: 0121 550 8088
e-mail: info@gould-singleton.co.uk

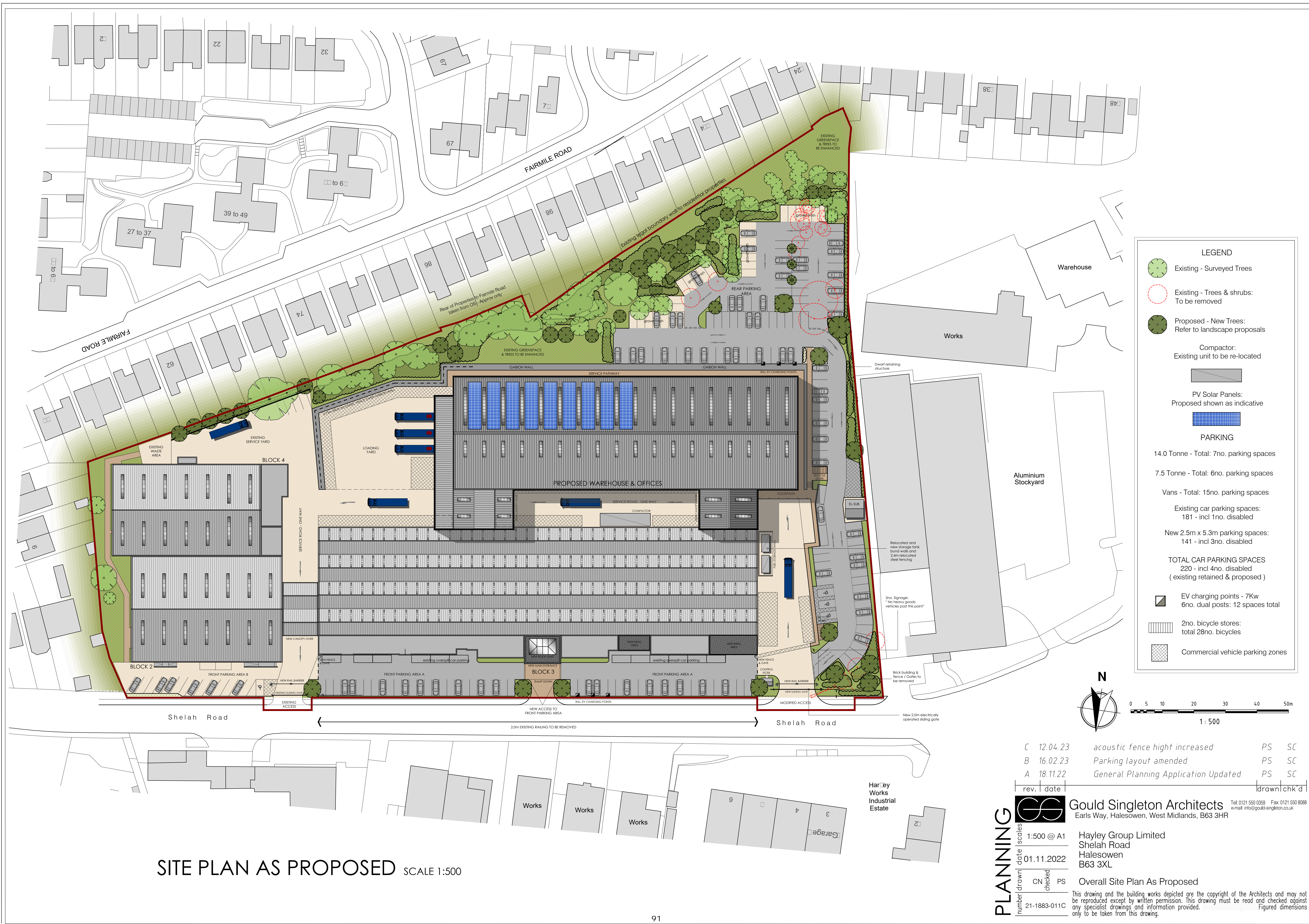
1:1000@A3
01.11.2022
PS SC
21-1883-010A

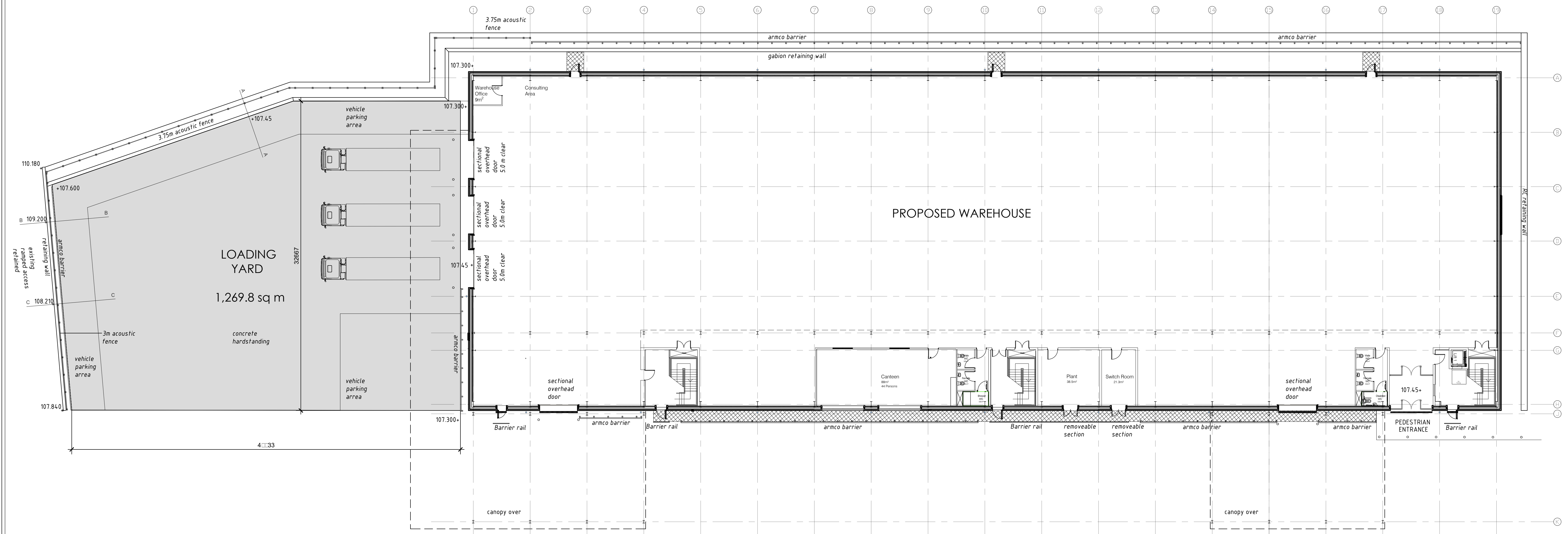
Hayley Group Limited
Shelah Road
Halesowen
West Midlands - B63 3XL

Block Plan - Demolitions

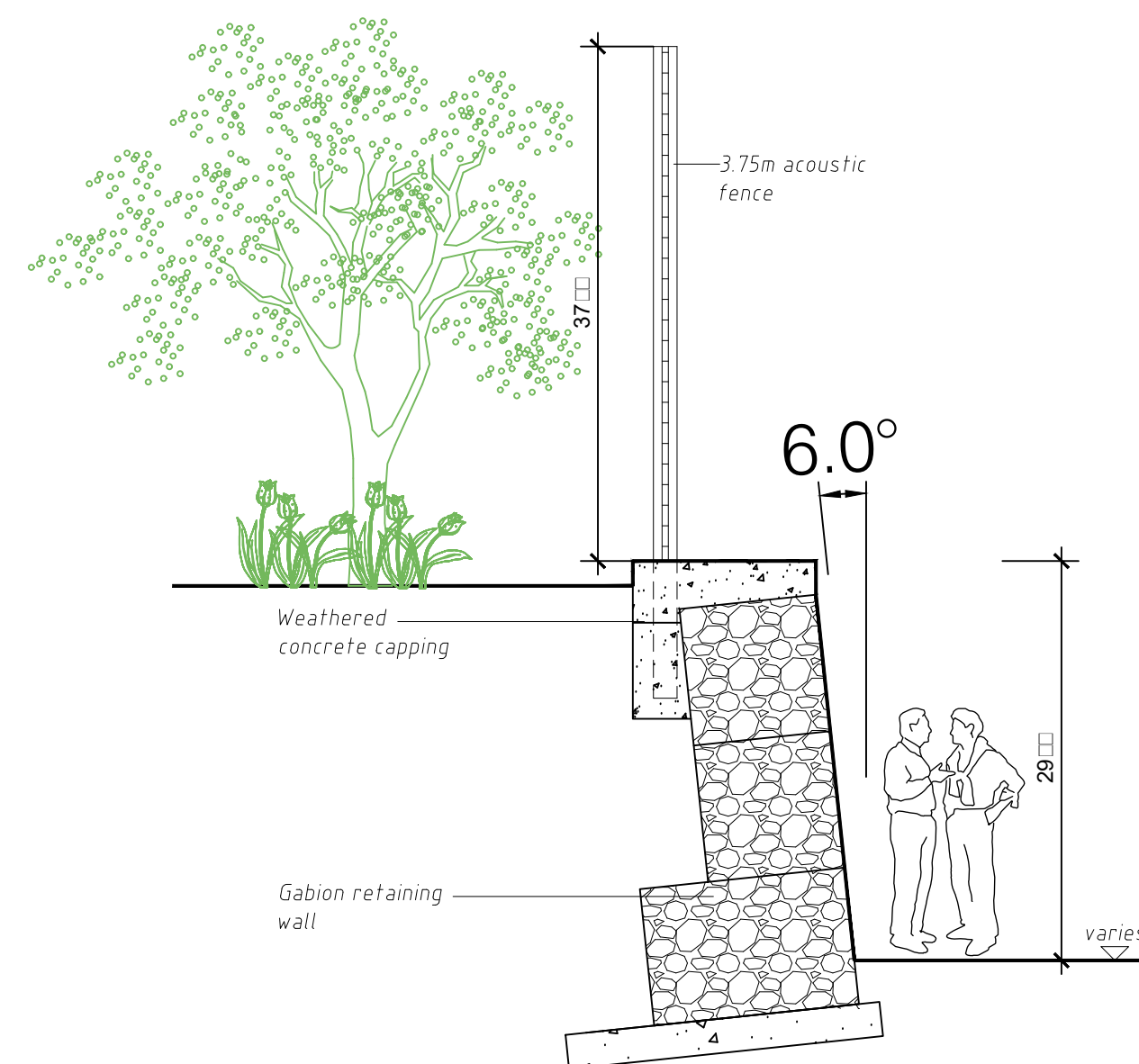
This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.

SITE PLAN - DEMOLITIONS Scale - 1:1000

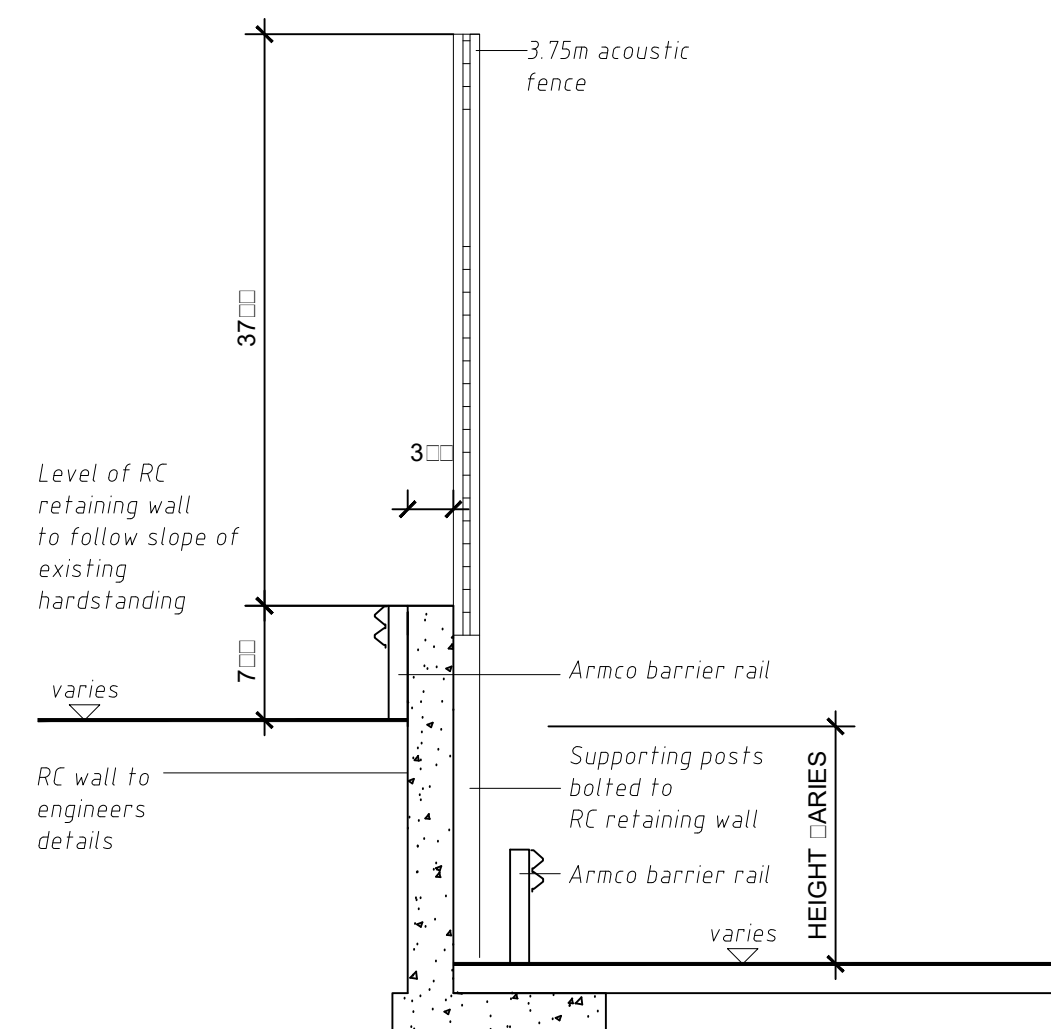




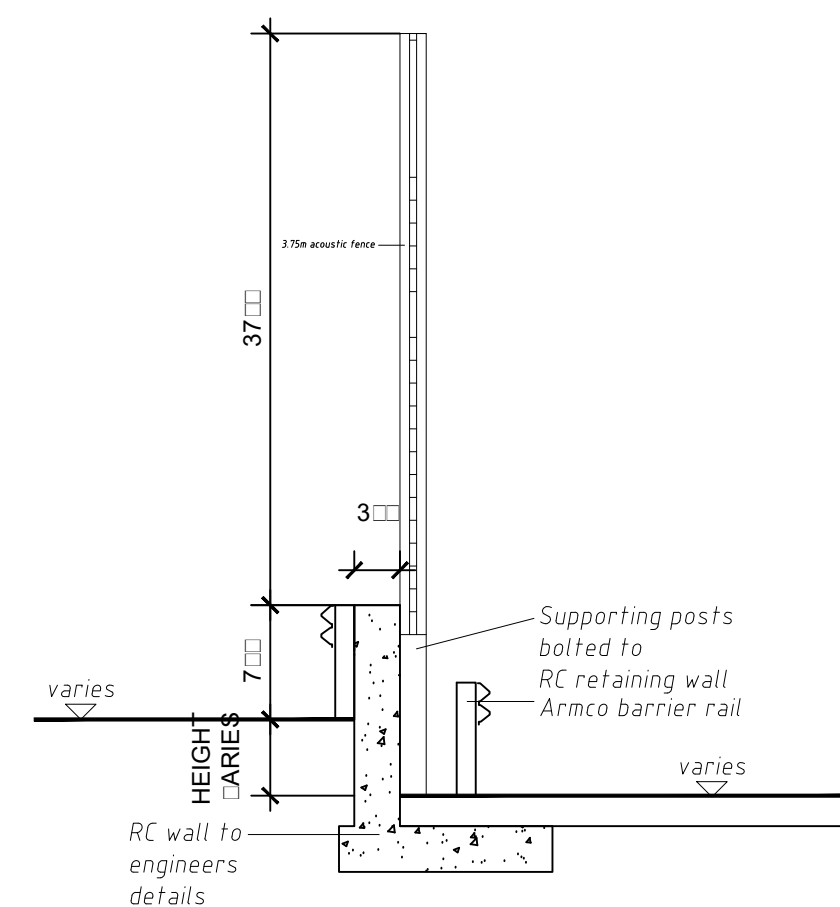
GROUND FLOOR PLAN SCALE 1:200
GROSS INTERNAL AREA 3,729 sqm



Section AA



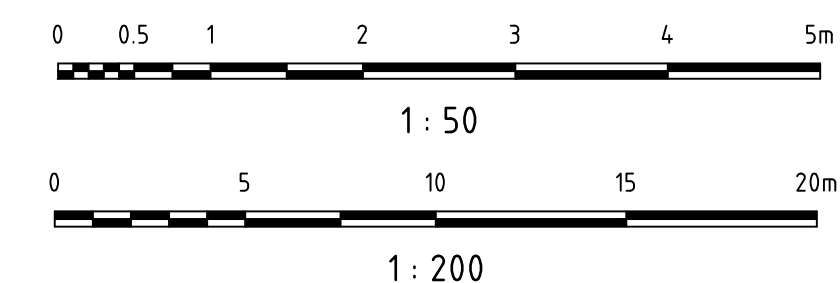
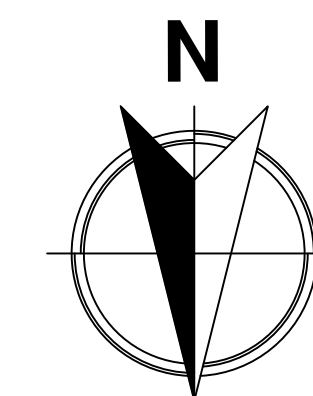
Section BB



Section CC

TYPICAL WALL SECTIONS

SCALE 1:50



rev.	date	description	PS	SC
B	12.04.23	acoustic fence height increased	PS	SC
A	18.11.22	General Planning Application Updated	PS	SC



Gould Singleton Architects
Earls Way, Halesowen, West Midlands, B63 3HR
Tel: 0121 550 0359 Fax: 0121 550 8088
e-mail: info@gould-singleton.co.uk

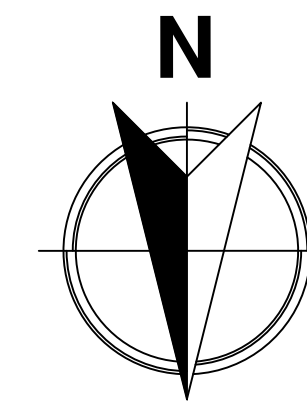
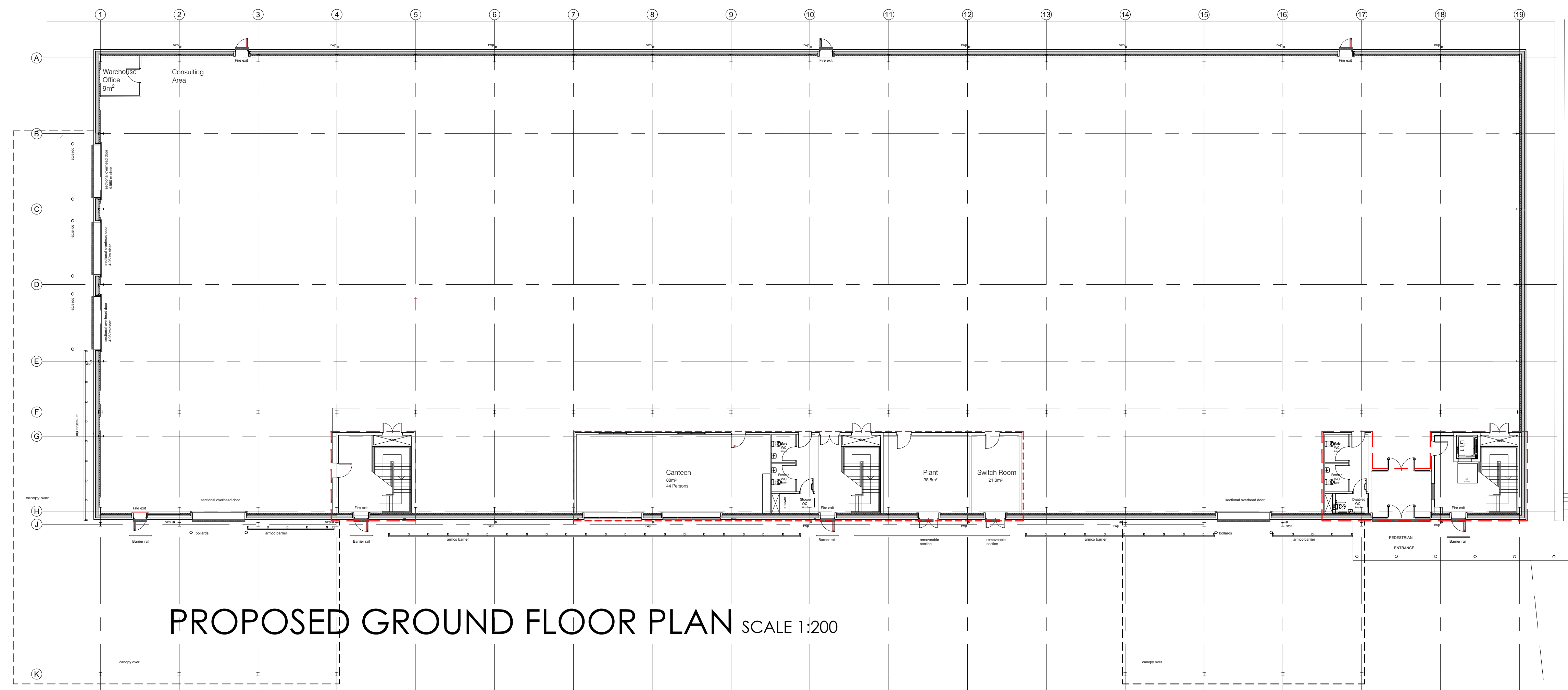
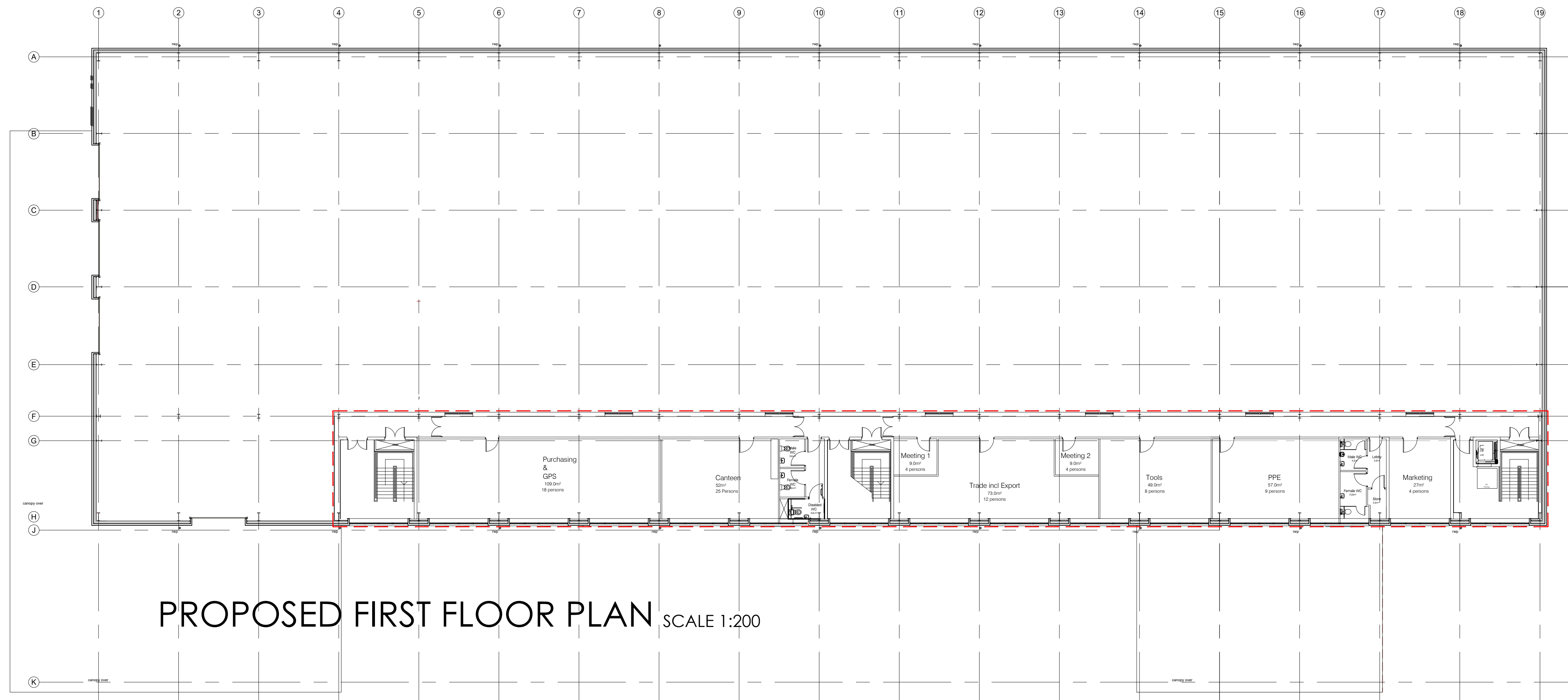
PLANNING

number drawn 21-1883-012B
date 01.11.2022
checked CN PS
scale 1:200.50 @ A1

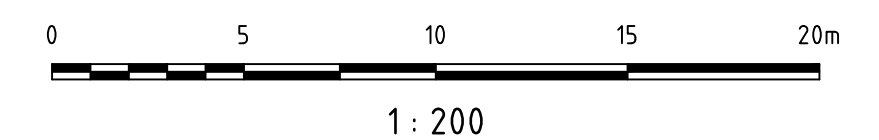
Hayley Group Limited
Shelah Road
Halesowen
B63 3XL

Proposed Warehouse Ground Floor Plan & Gabion Sections

This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.



--- GROUND FLOOR AREA OF ANCILLARY = 371.5 sqm
 --- FIRST FLOOR AREA OF ANCILLARY = 790.8 sqm
 TOTAL BUILDING INTERNAL AREA = 3,729 sqm



A 18.11.22 General Planning Application Updated PS SC
 rev. date | drawn | chk'd



Gould Singleton Architects
 Earls Way, Halesowen, West Midlands, B63 3HR
 Tel: 0121 550 0359 Fax: 0121 550 8088
 e-mail: info@gould-singleton.co.uk

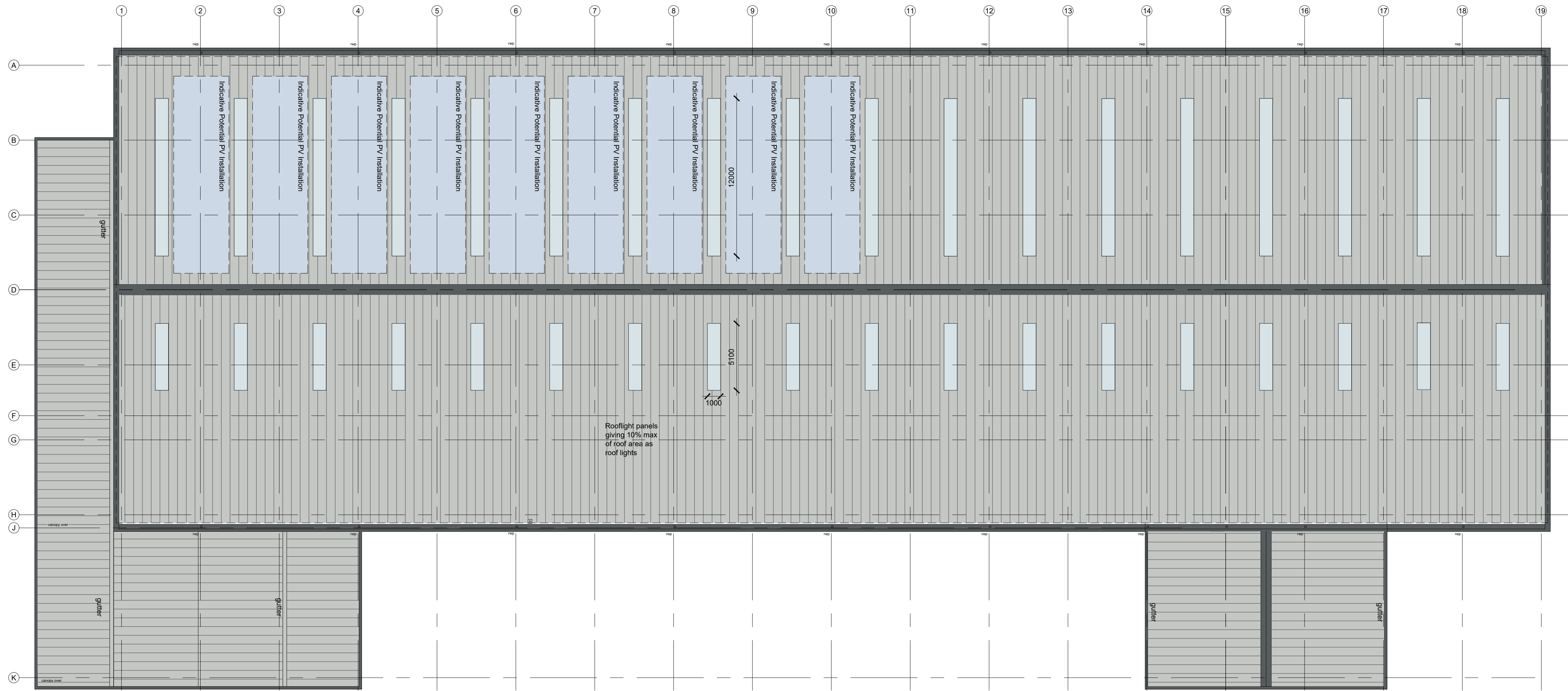
PLANNING

number drawn date scales
 1:200@A1
 01.11.2022
 PS SC
 21-1883-013A

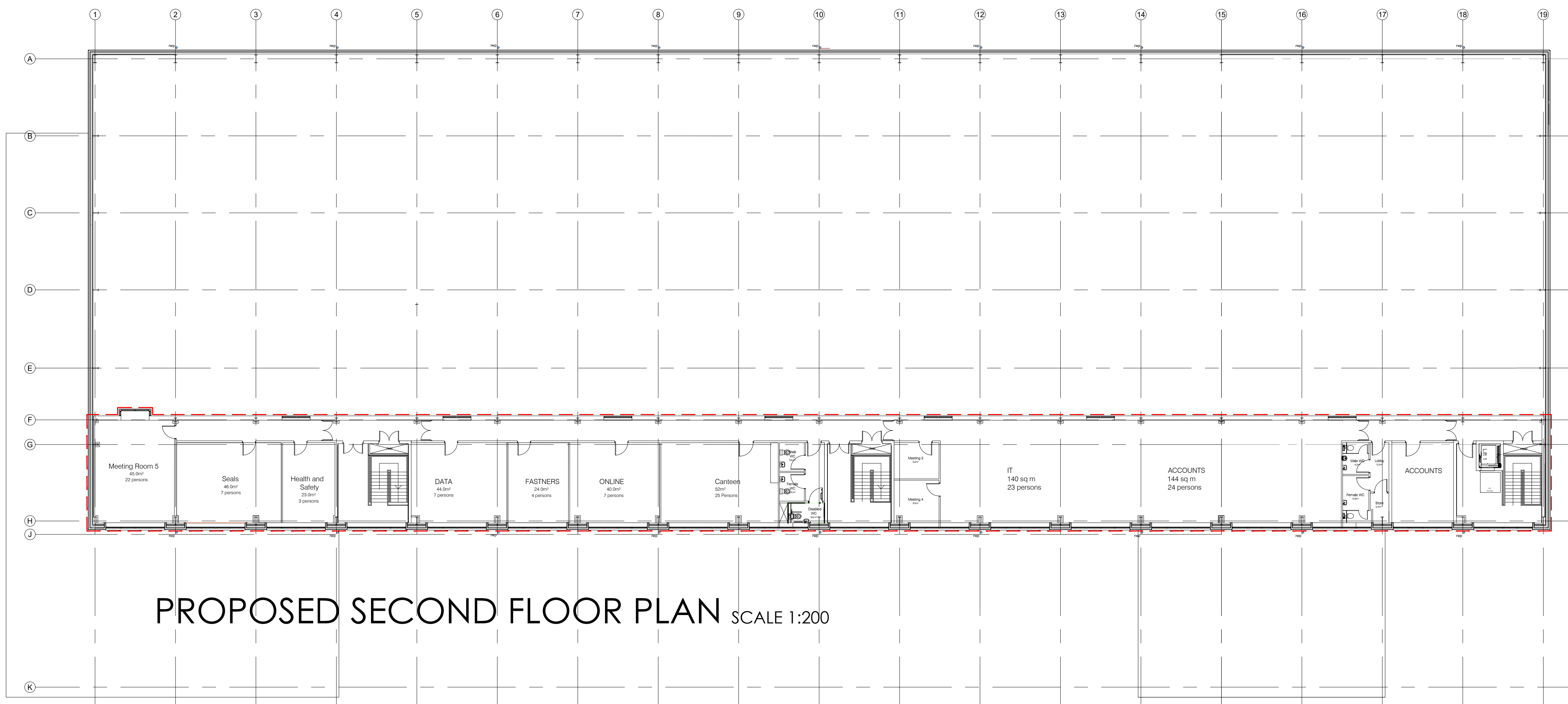
Hayley Group Limited
 Shelah Road
 Halesowen
 West Midlands

New Warehouse Ground & First Floor Plans

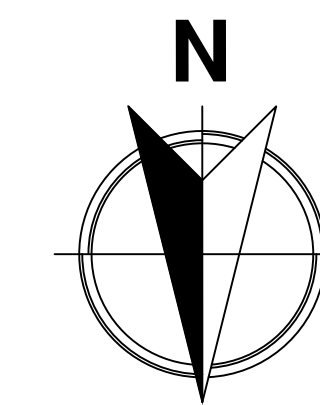
This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.



PROPOSED ROOF PLAN SCALE 1:200



PROPOSED SECOND FLOOR PLAN SCALE 1:200



SECOND FLOOR AREA OF ANCILLARY = 950sqm
TOTAL BUILDING INTERNAL AREA = 3,729 sqm



1 : 200

A 18.11.22 General Planning Application Updated PS SC
rev. | date | drawn | chk'd |

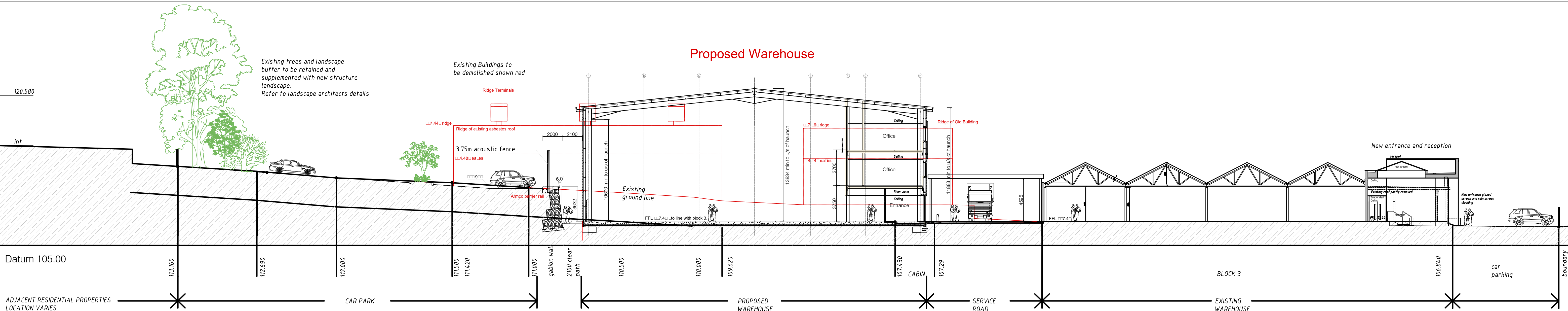


Gould Singleton Architects
Earls Way, Halesowen, West Midlands, B63 3HR

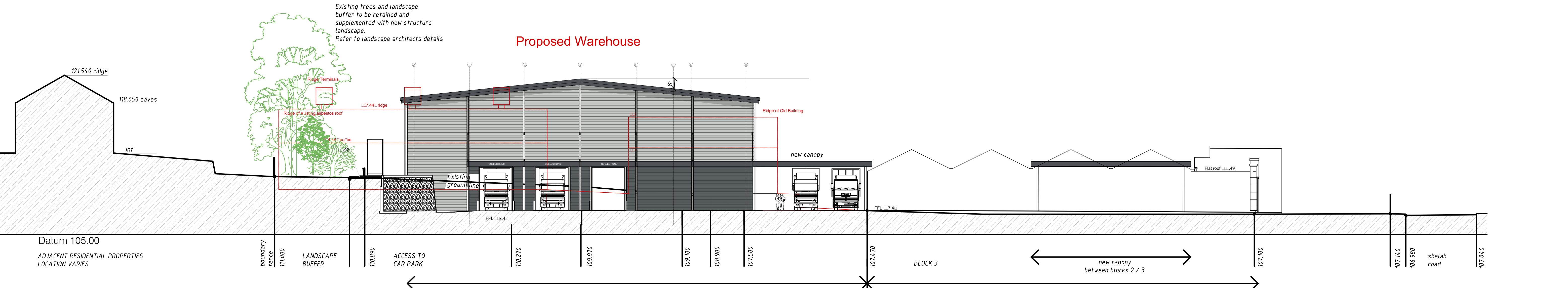
number | scales |
drawn | 1:200@A1 |
date | 01.11.2022 |
checked | PS | SC |
21-1883-014A

Hayley Group Limited
Shelah Road
Halesowen
West Midlands

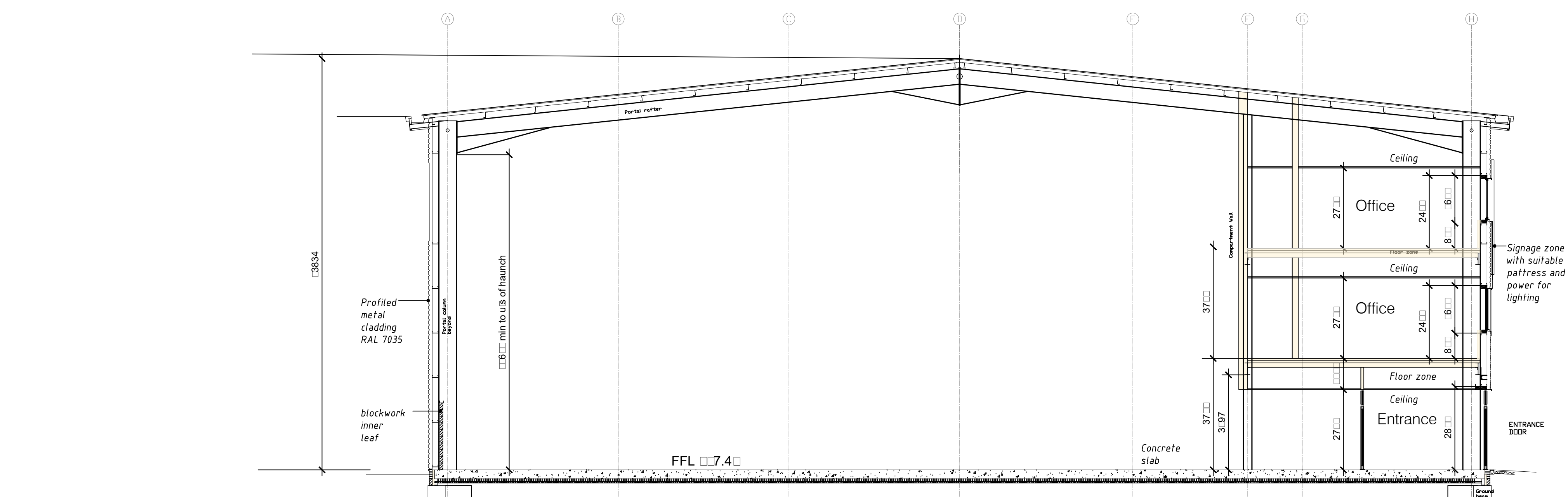
New Warehouse Second Floor Plan & Roof Plan
This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.



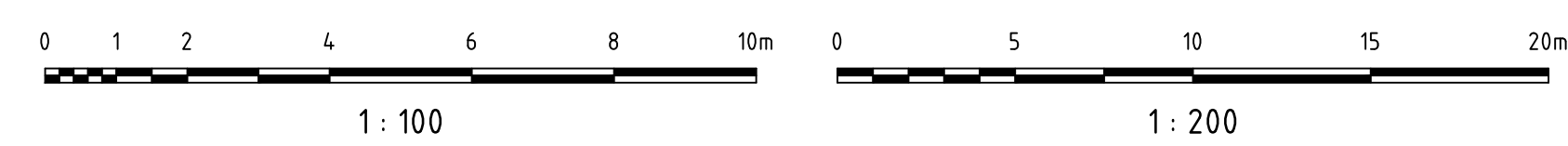
PROPOSED SECTION A-A SCALE 1:200



PROPOSED SECTION B-B SCALE 1:200



PROPOSED SECTION C-C SCALE 1:100



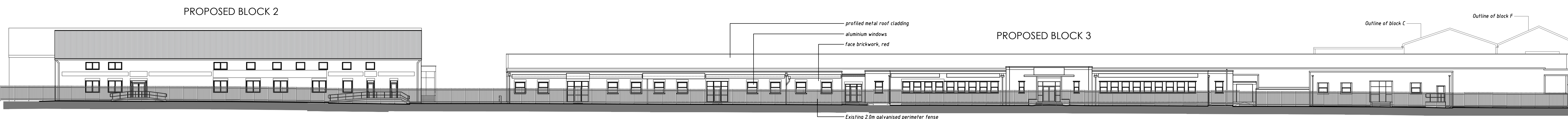
rev.	date	description	PS	SC
B	12.04.23	acoustic fence increased to 3.75m	PS	SC
A	18.11.22	General Planning Application Updated	PS	SC
drawn		chk'd		

Gould Singleton Architects
Earls Way, Halesowen, West Midlands, B63 3HR

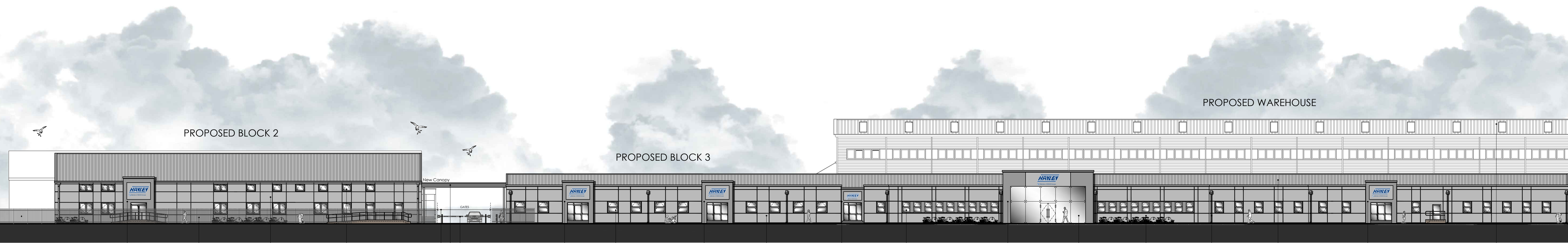
Hayley Group Limited
Shelah Road
Halesowen
West Midlands - B63 3XL

New Warehouse Site Sections As Proposed

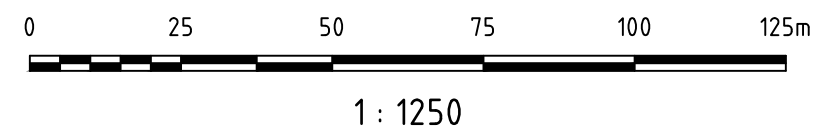
This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.



EXISTING EXTERNAL ELEVATION FROM SHELAH ROAD
SCALE 1:250 @ A1



PROPOSED EXTERNAL ELEVATION FROM SHELAH ROAD
SCALE 1:250 @ A1

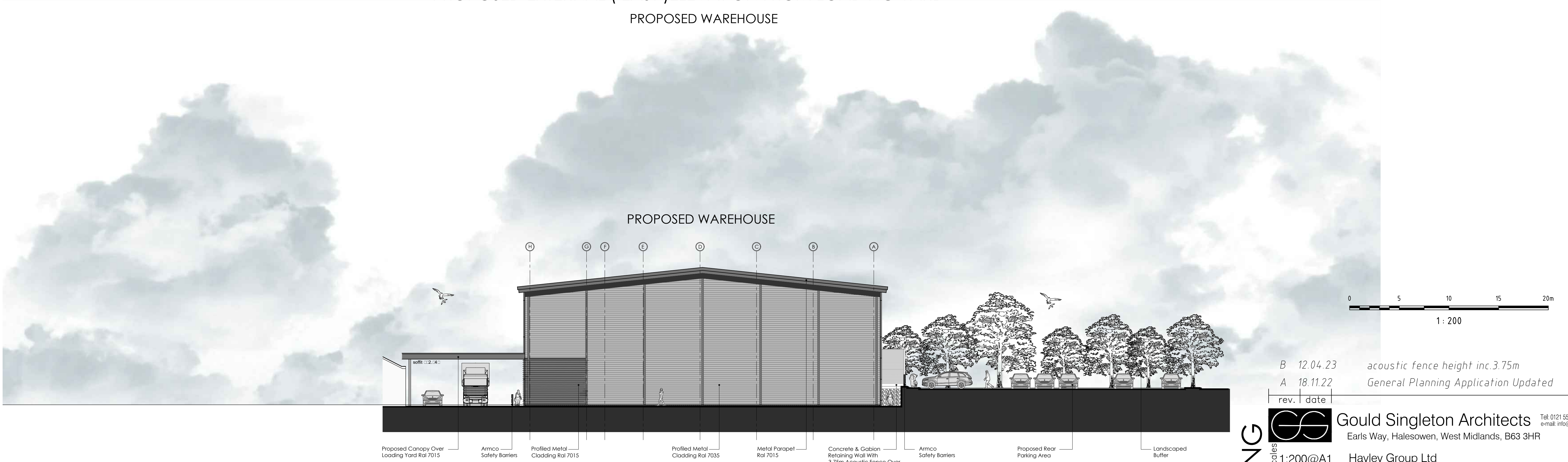


PLANNING	number	21-1883/016A	drawn	PS	checked	SC	<p>Gould Singleton Architects Earls Way, Halesowen, West Midlands, B63 3HR</p> <p>Tel: 0121 550 0359 Fax: 0121 550 8088 e-mail: postmaster@gould-singleton.co.uk</p> <p>Hayley Group Limited Shelah Road Halesowen West Midlands</p> <p>Proposed Street Scene North - South Elevation</p> <p><small>This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.</small></p>
	date	01.11.2022	rev.	date	18.11.22	PS	
	scale	1:250@A1	General Planning Application Updated			SC	



PROPOSED EXTERNAL (EAST) ELEVATION FROM LOADING YARD

PROPOSED WAREHOUSE



PROPOSED EXTERNAL (WEST) ELEVATION

PLANNING

1:200@A1

01.11.2022

CN checked PS

21-1883-017B

12.04.23

18.11.22

acoustic fence height inc.3.75m

General Planning Application Updated

rev. date

drawn chkd

Gould Singleton Architects

Earls Way, Halesowen, West Midlands, B63 3HR

Hayley Group Ltd

Shelah Road

Halesowen

West Midlands

Proposed Warehouse East & West Side Elevations

This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.

Tel: 0121 550 0359 Fax: 0121 550 8088

e-mail: info@gould-singleton.co.uk



PROPOSED EXTERNAL (NORTH) ELEVATION OF SERVICE ROAD



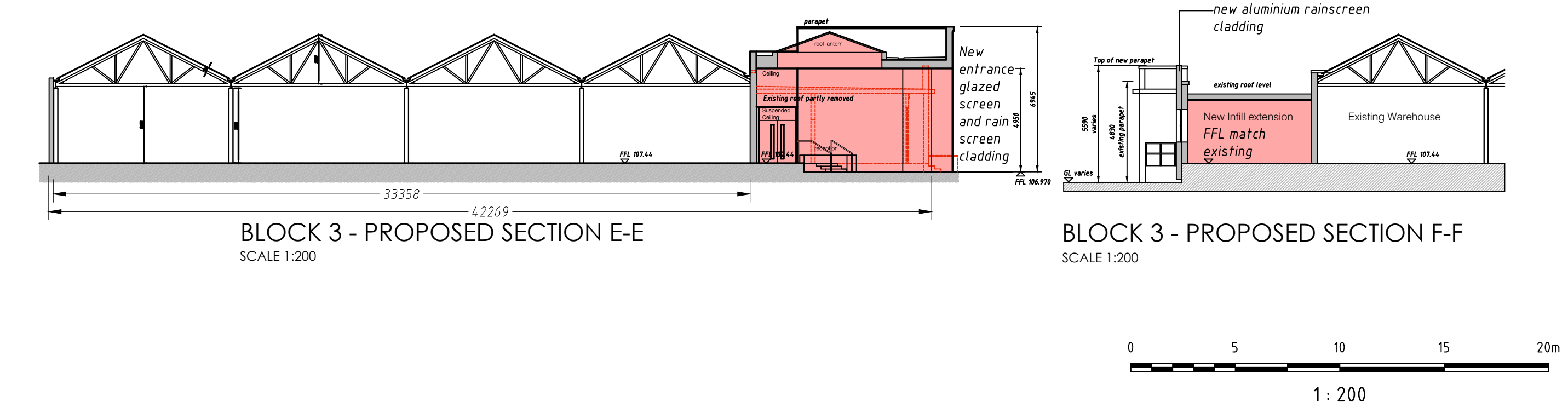
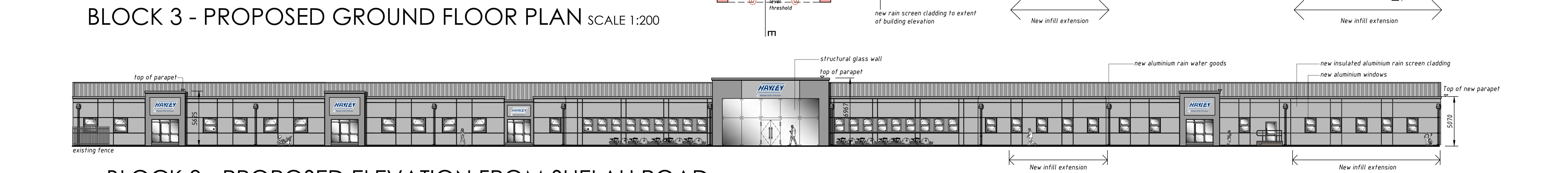
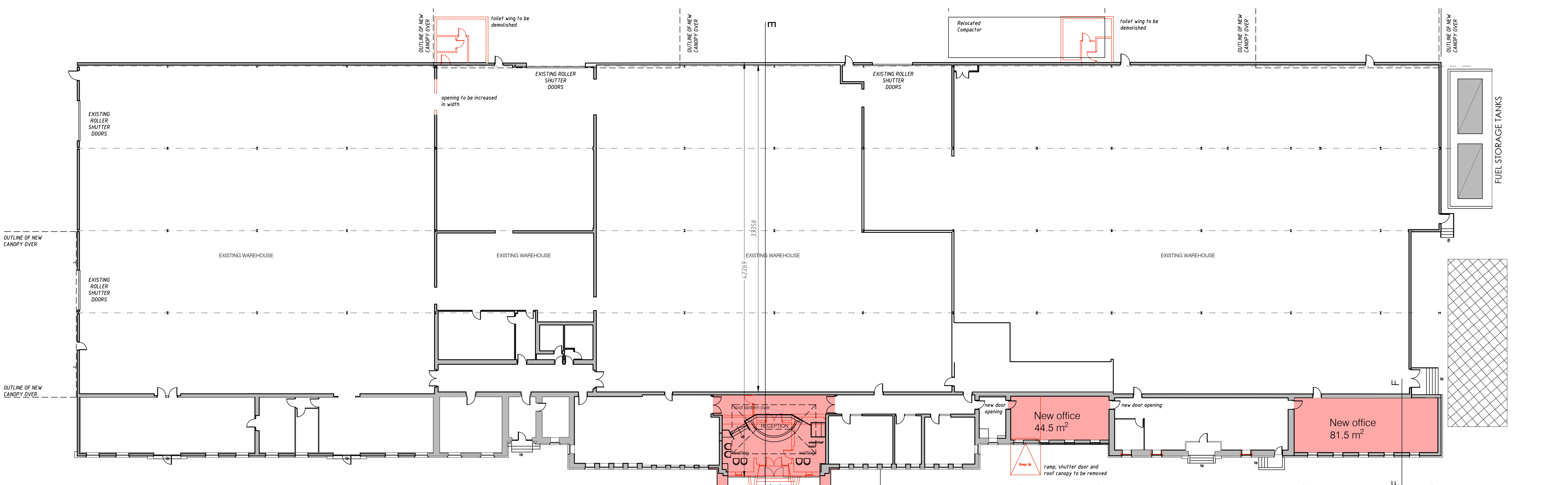
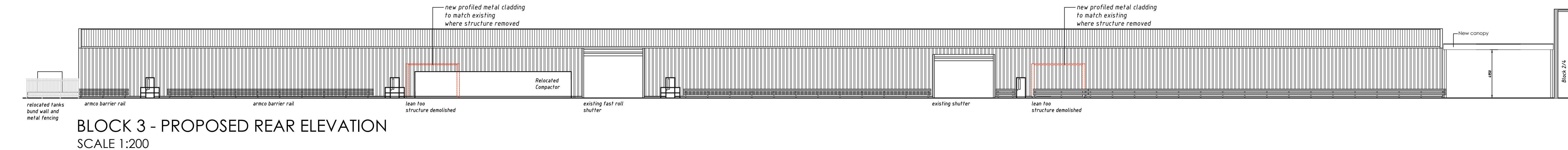
PROPOSED EXTERNAL REAR(SOUTH) ELEVATION FROM CARPARK

B	12.14.23	acoustic fence height inc. to 3.75m	PS	SC
A	18.11.22	General Planning Application Updated	PS	SC
rev.	date		drawn	chk'd

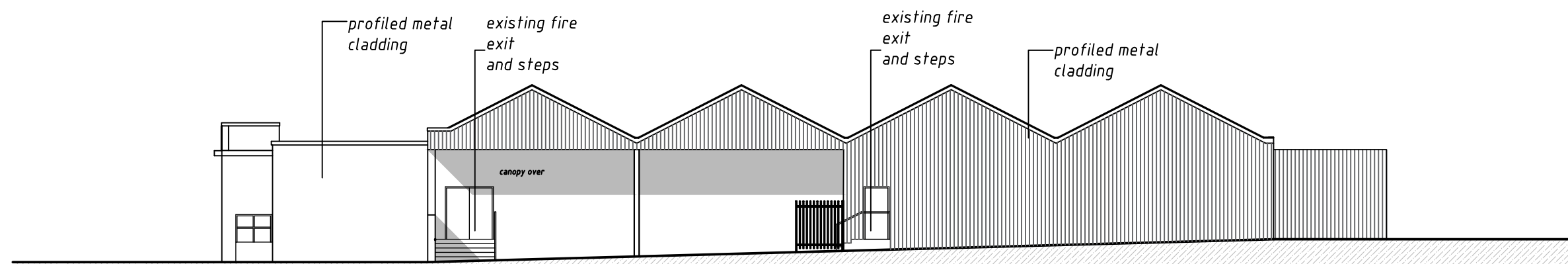
PLANNING

scale	1:200@A1
date	01.11.2022
drawn	CN
checked	PS
number	-1883-018B

Gould Singleton Architects
 Earls Way, Halesowen, West Midlands, B63 3HR
 Hayley Group Ltd
 Shelah Road
 Halesowen
 West Midlands
 Proposed Warehouse North - South Front & Rear Elevs
 This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.

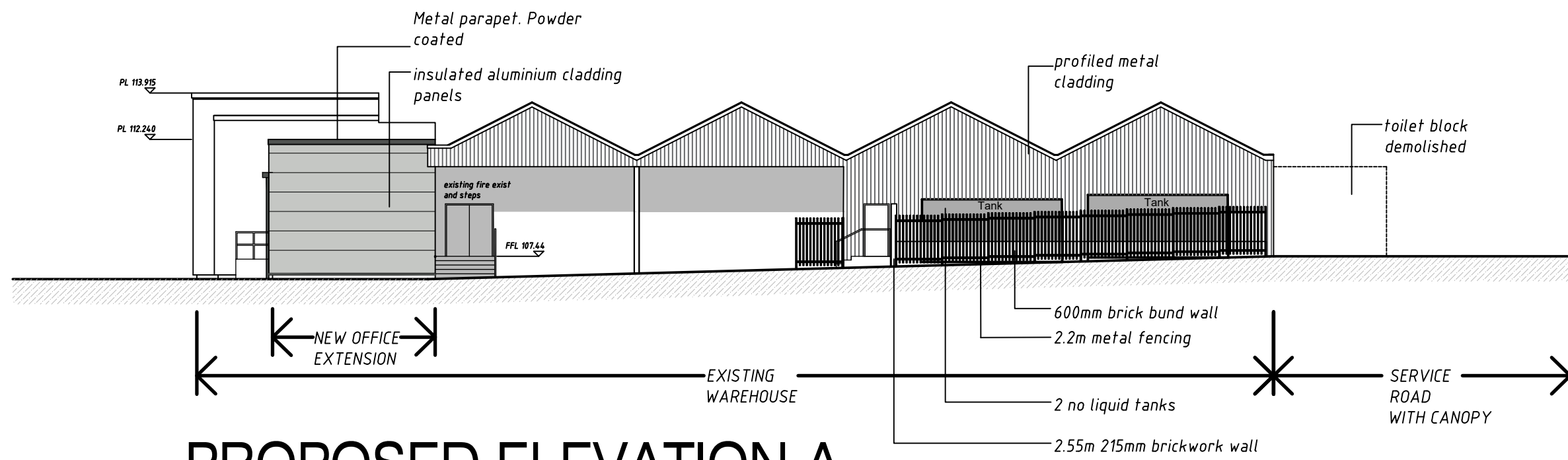


number	drawn	date	scale	rev.	date	General Planning Application Updated	PS	SC
1-1883-019A	PS	01.11.2022	1:200@A1					
Gould Singleton Architects								
Earls Way, Halesowen, West Midlands, B63 3HR								
Hayley Group Limited								
Shelah Road								
Halesowen								
West Midlands								
Block 3 - Proposed Alterations								
This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.								



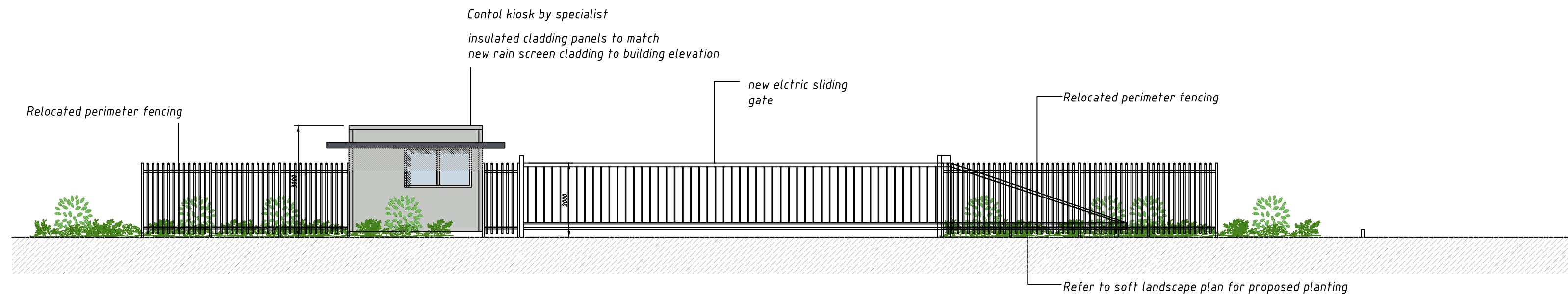
EXISTING ELEVATION A

SCALE 1:200



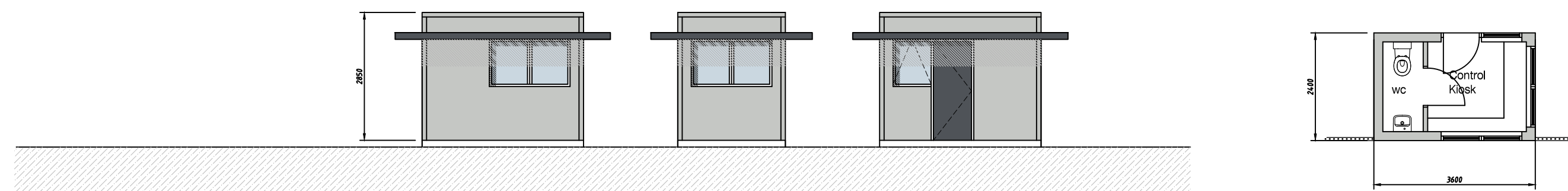
PROPOSED ELEVATION A

SCALE 1:200



KIOSK STREET ELEVATION B

SCALE 1:100

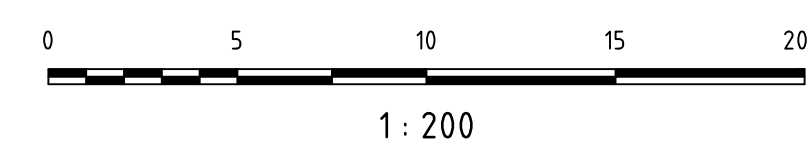
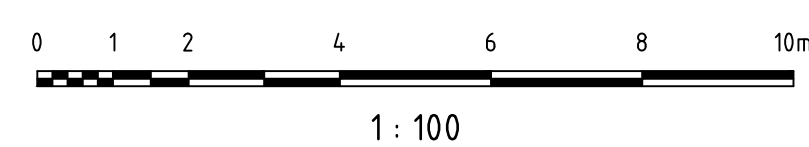


KIOSK ELEVATIONS

SCALE 1:100

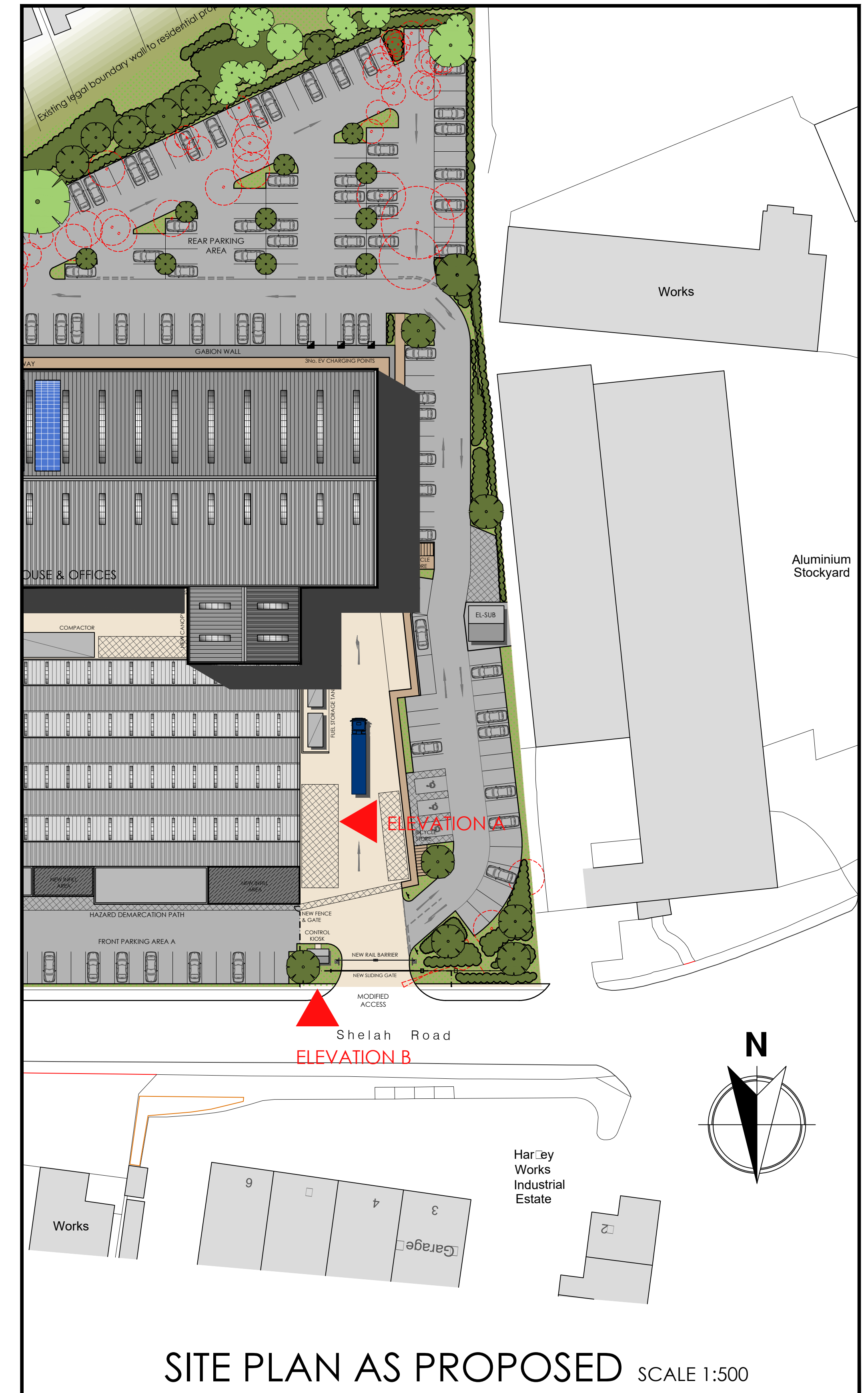
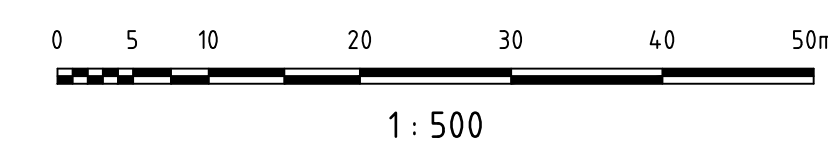
PLAN

SCALE 1:100



Note: Topo Drawings provided from 3rd party. Full survey and dimension check required.

FOR INDICATIVE PURPOSES ONLY



SITE PLAN AS PROPOSED

SCALE 1:500

A	18.11.22	General Planning Application Updated	PS	SC
rev.	date		drawn	chk'd

Gould Singleton Architects
Earls Way, Halesowen, West Midlands, B63 3HR

Hayley Group Limited
Shelah Road
Halesowen
West Midlands

Block 3 Proposed Alterations

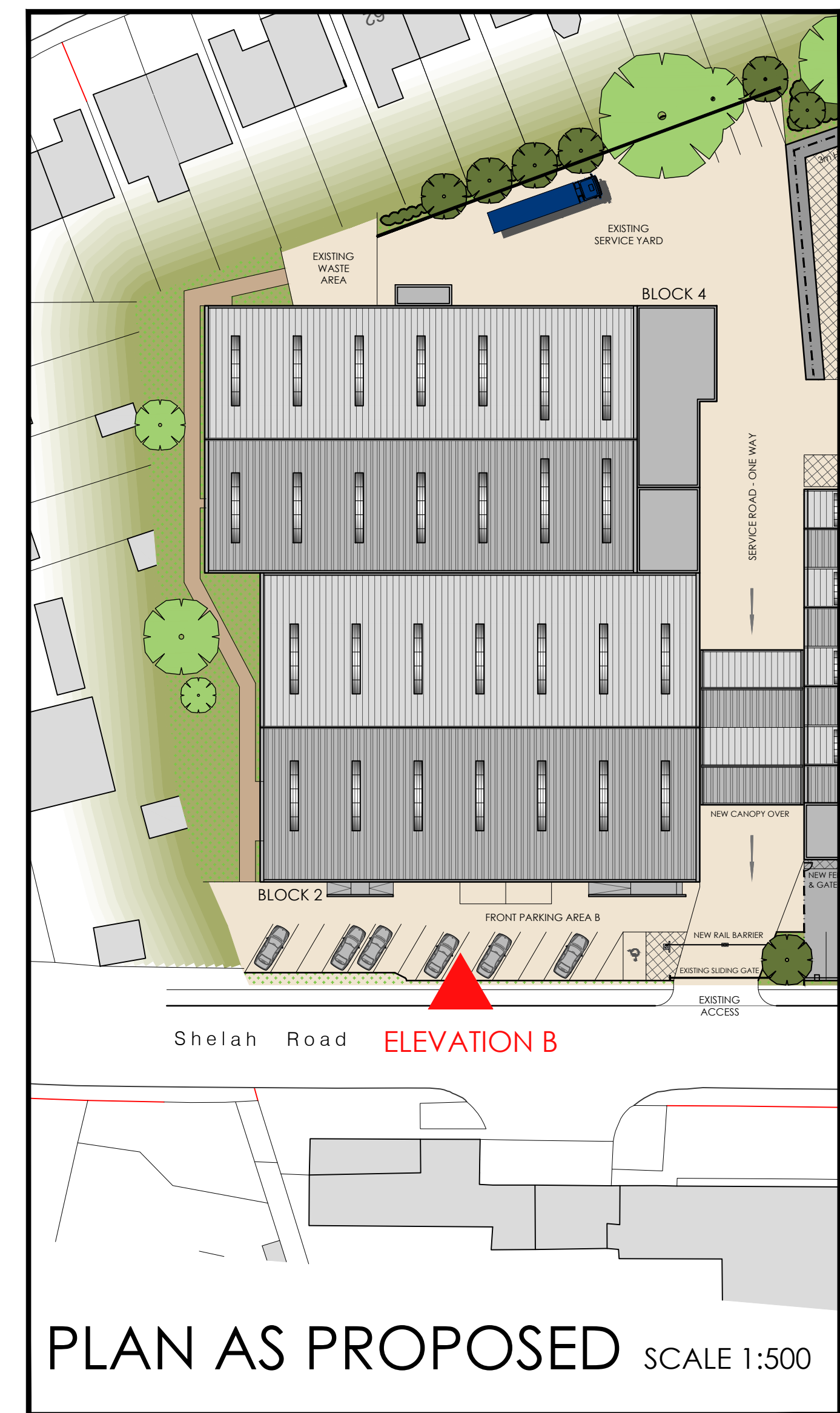
This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.

PLANNING

Varies@A1
01.11.2022
PS SC
1-1883/020A



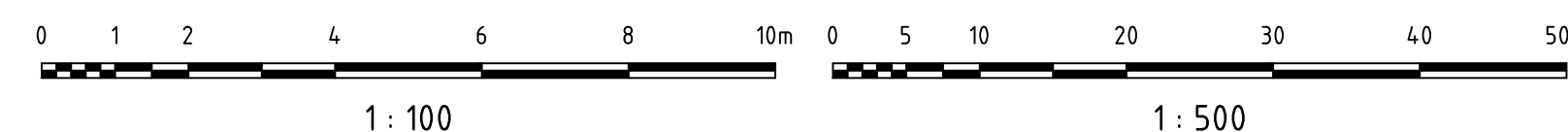
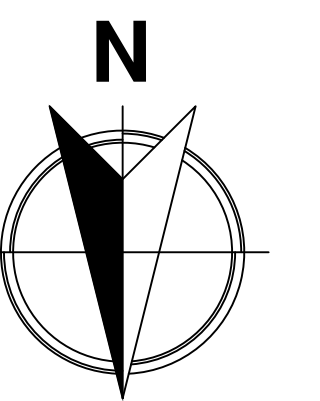
BLOCK 2 - EXISTING ELEVATION B SCALE 1:100



PLAN AS PROPOSED SCALE 1:500



BLOCK 2 - PROPOSED ELEVATION B SCALE 1:100



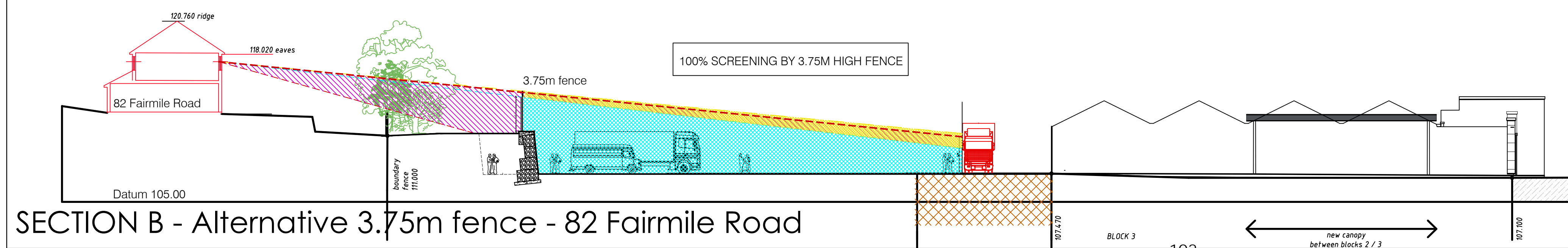
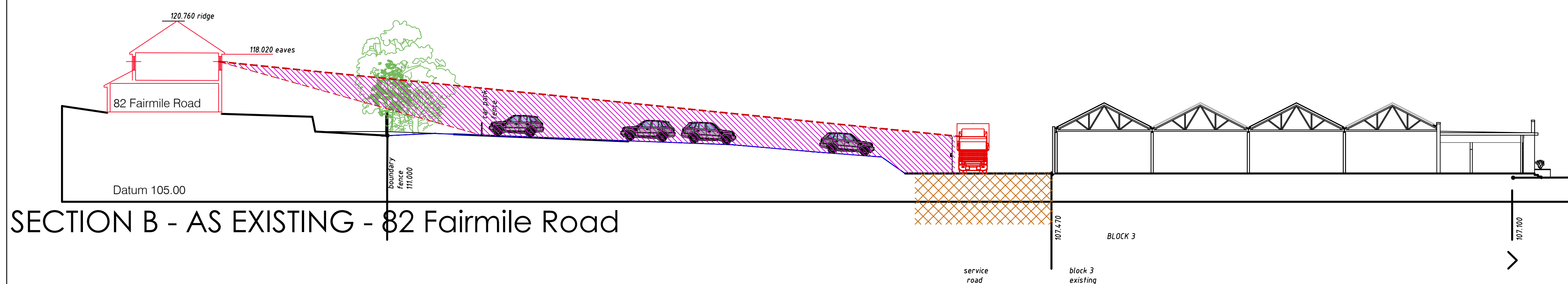
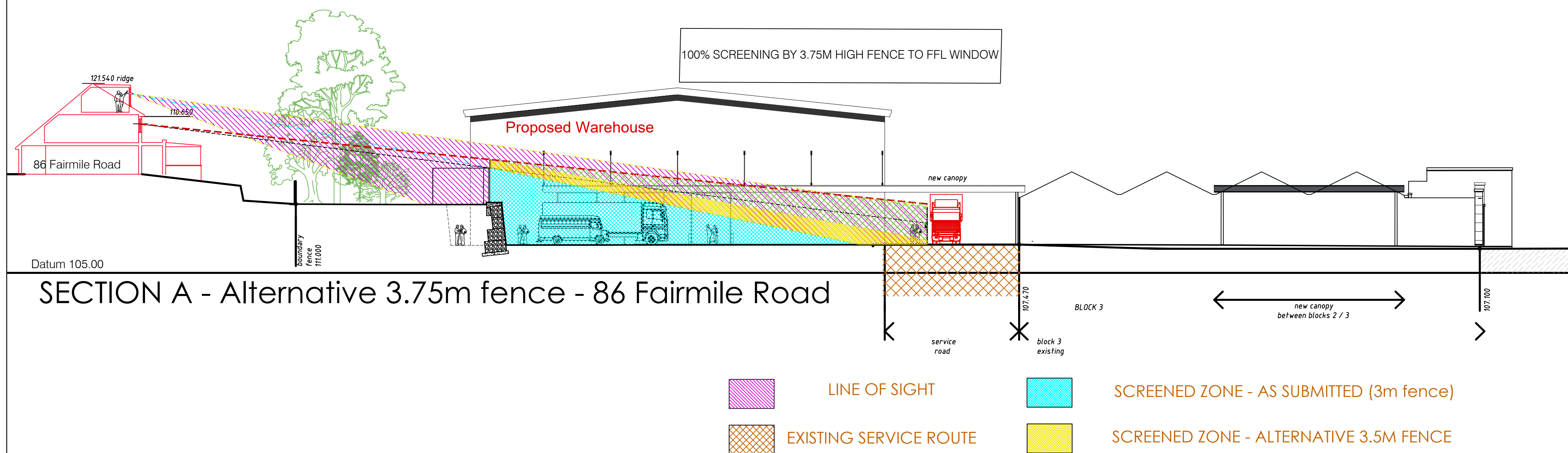
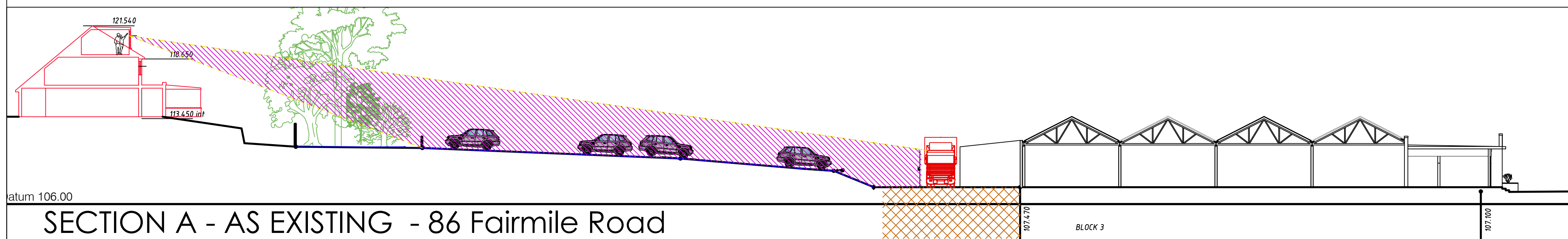
Note: Topo Drawings provided from 3rd party. Full survey and dimension check required.
FOR INDICATIVE PURPOSES ONLY

PLANNING

A 18.11.22		General Planning Application Updated		PS	SC
rev. date				drawn	chk'd
		Gould Singleton Architects		Tel: 0121 550 0359 Fax: 0121 550 8088 e-mail: postmaster@gould-singleton.co.uk	
Earls Way, Halesowen, West Midlands, B63 3HR					
number	drawn	Varies @A1			
date	11.11.2022	Hayley Group Limited			
		Shelah Road			
		Halesowen			
		West Midlands			
number	drawn	PS	checked	SC	
21-1883-021A		Block 2 Proposed Alterations			
This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Figured dimensions only to be taken from this drawing.					

Gould Singleton Architects
Earls Way, Halesowen, West Midlands, B63 3HR
Tel: 0121 550 0359 Fax: 0121 550 8088
e-mail: postmaster@gould-singleton.co.uk

Hayley Group Limited
Shelah Road
Halesowen
West Midlands

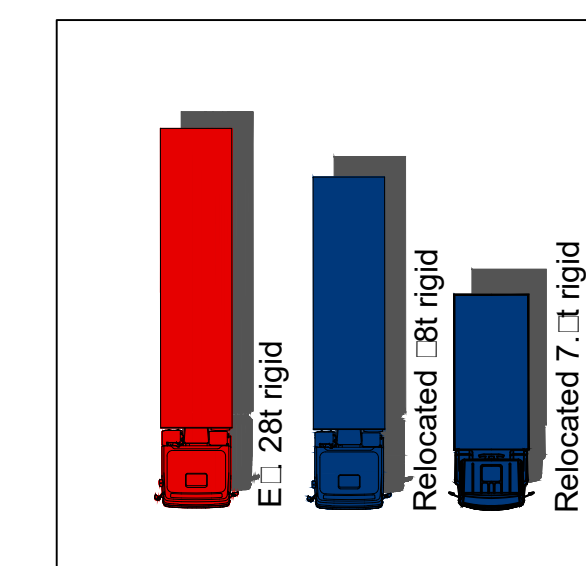
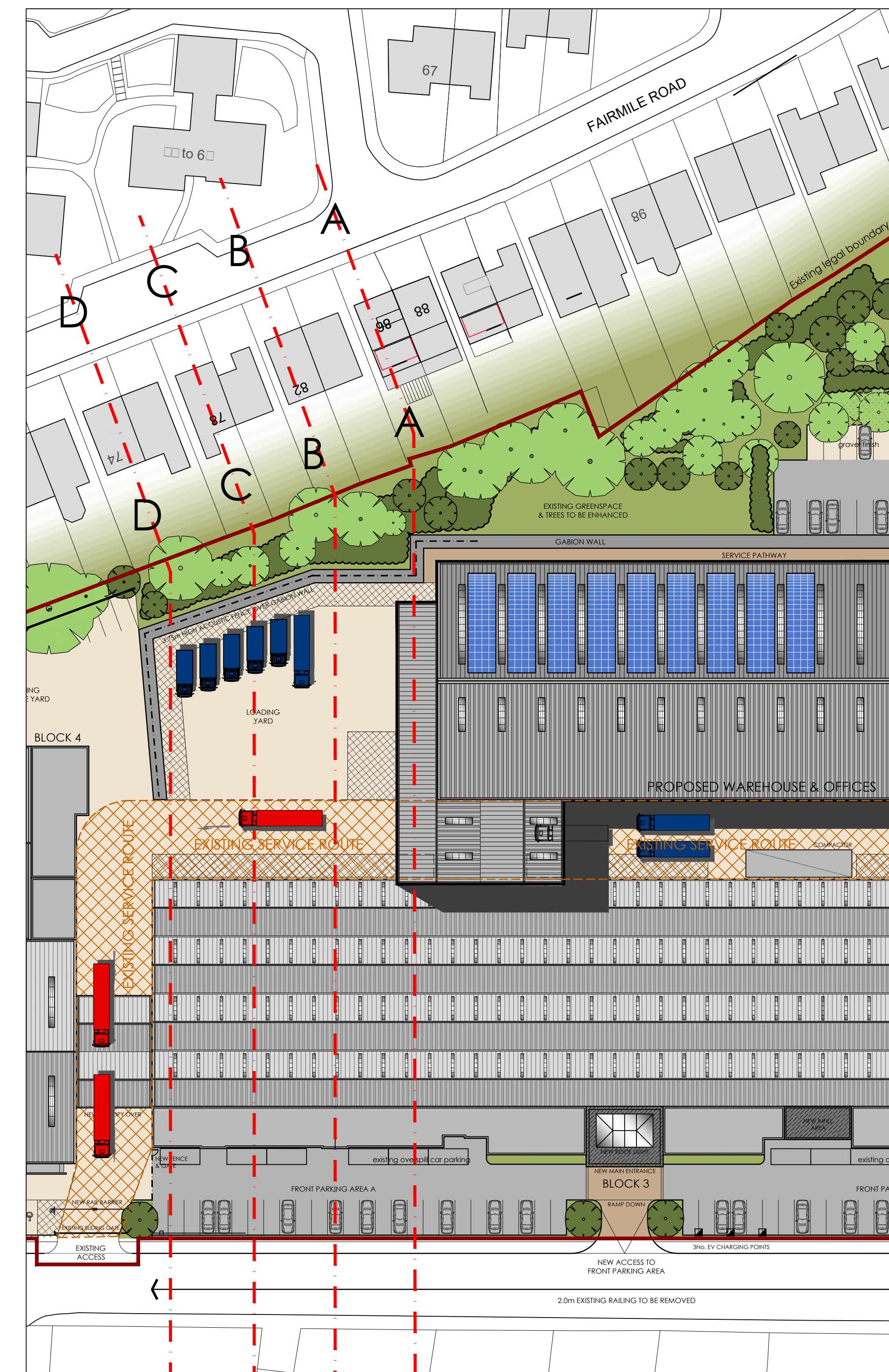


Note

All references to the specification of any product, material or system used in the proposed construction, repair, treatment and refurbishment of any building or structure detailed on this drawing, in respect of the performance of combustibility, fire resistance or fire protection shall be fully in accordance with manufacturer's or supplier's specifications and recommendations and in accordance with current applicable regulations. Where specified refer to fire engineer consultant's specific details where appointed.

No reliance shall be placed on such details on this drawing.

A1



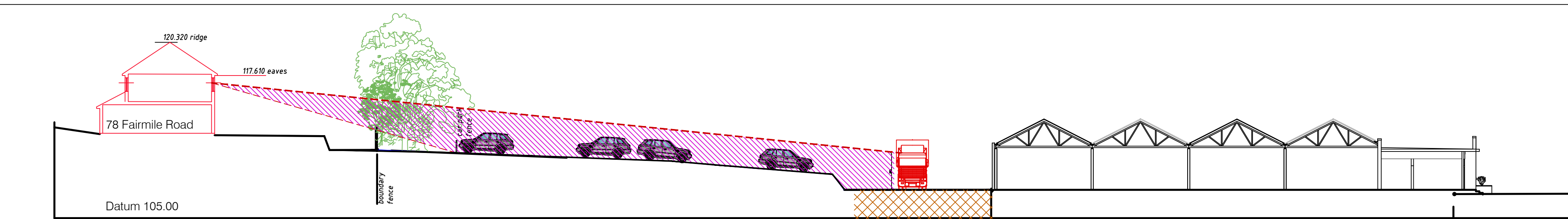
A	12.04.23	acoustic fence hight increased	PS	SC
rev.	date		drawn	chk'd

 **Gould Singleton Architects**
Earls Way, Halesowen, West Midlands, B63 3HR
Tel: 0121 550 0359 Fax: 0121 550 8010
e-mail: info@gould-singleton.co.uk

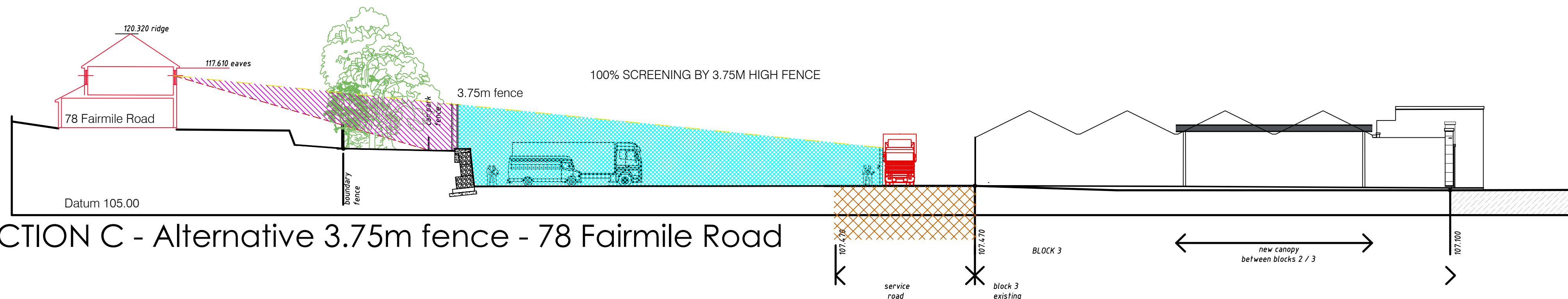
date	6/3/23	Hayley Group Limited Shelah Road Halesowen B63 3XL
------	--------	---

SDC GSA Site Sections across Yard = Sheet 1 of 2

This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Do not scale prints. Figured dimensions only to be taken from this drawing.

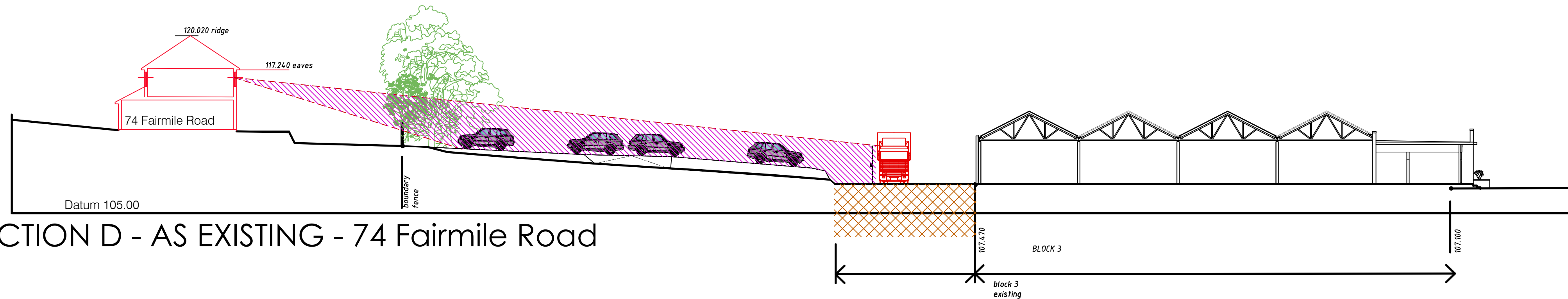


SECTION C - AS EXISTING - 78 Fairmile Road

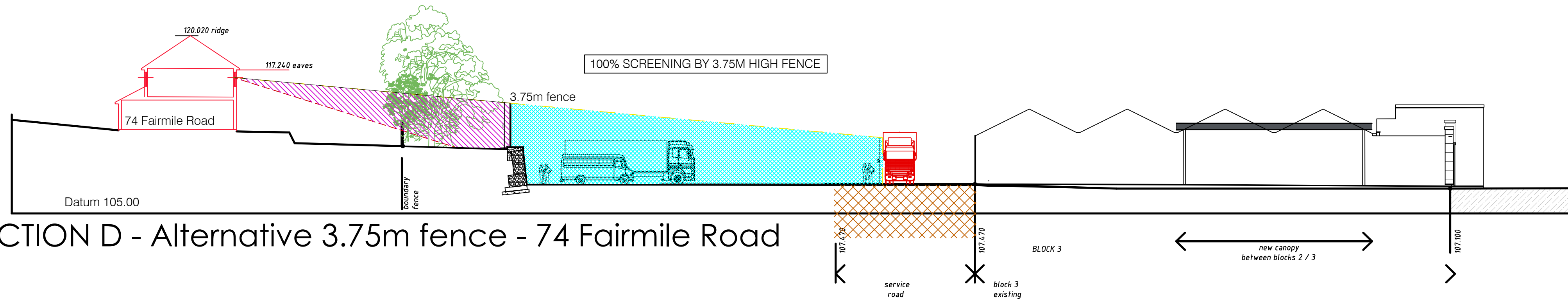


SECTION C - Alternative 3.75m fence - 78 Fairmile Road

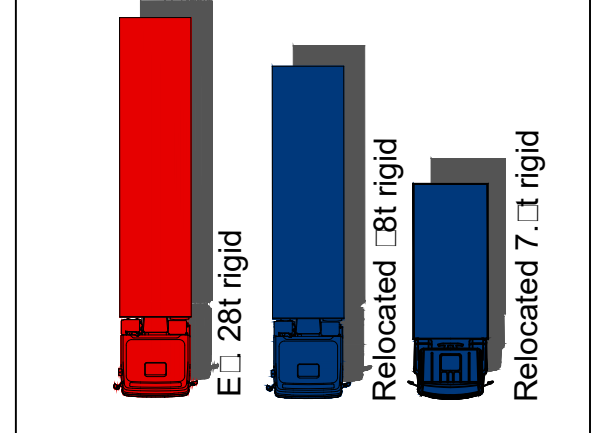
LINE OF SIGHT
 EXISTING SERVICE ROUTE
 SCREENED ZONE - ALTERNATIVE 3.75M FENCE



SECTION D - AS EXISTING - 74 Fairmile Road

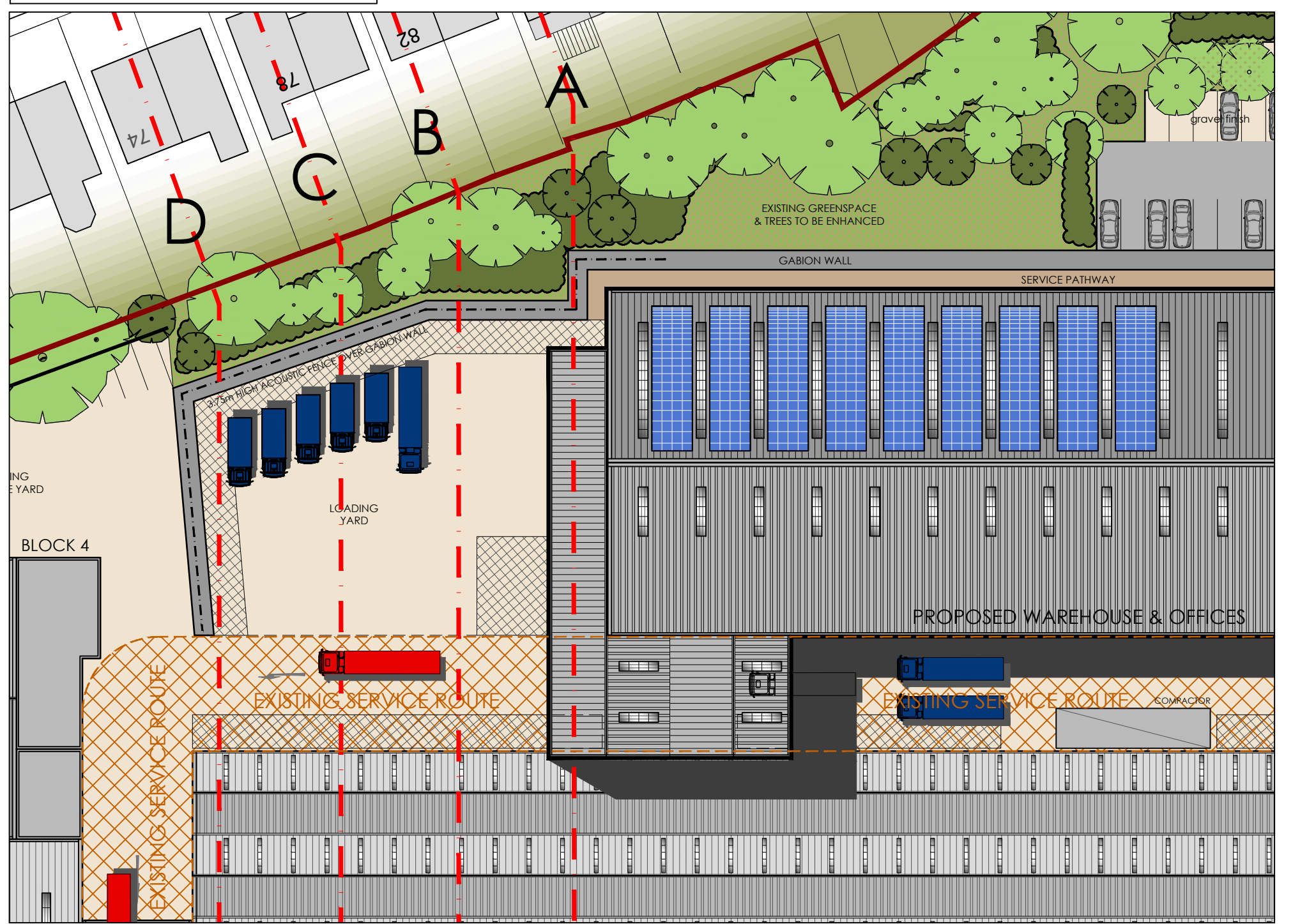


SECTION D - Alternative 3.75m fence - 74 Fairmile Road

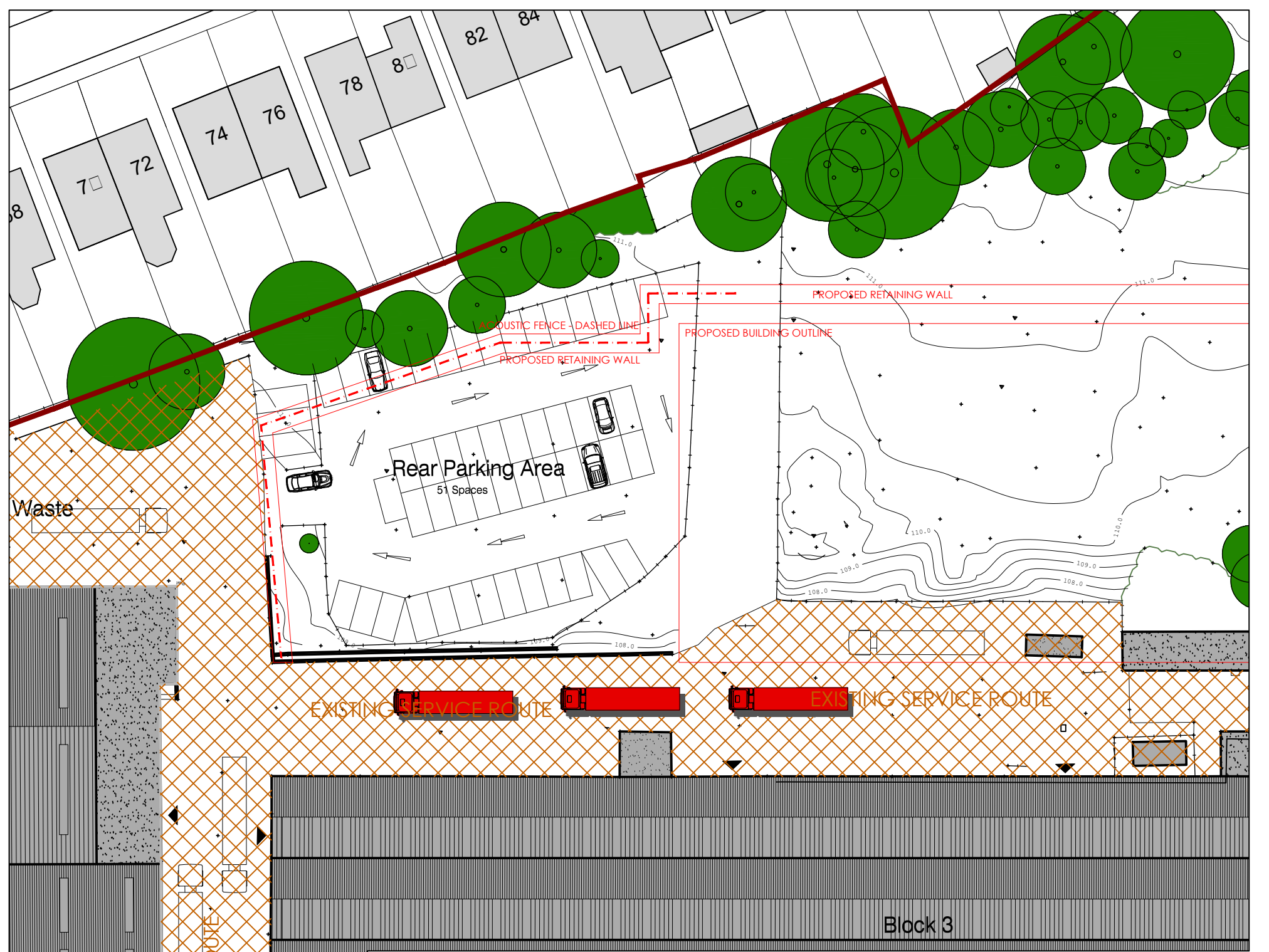


Note
 All references to the specification of any product, material or system used in the proposed construction, repair, treatment and refurbishment of any building or structure detailed on this drawing, in respect of the performance of combustibility, fire resistance or fire protection shall be fully in accordance with manufacturer's or supplier's specifications and recommendations and in accordance with current applicable regulations. Where specified refer to fire engineer consultant's specific details where appointed.
 No reliance shall be placed on such details on this drawing.

A1



Proposed Service route & Yard 1:500



Existing Service routes 1:500

rev.	date	12.04.23	acoustic fence height increased	PS	SC
drawn	chk'd				

Gould Singleton Architects
 Earls Way, Halesowen, West Midlands, B63 3HR
 Tel: 0121 550 0359 Fax: 0121 550 8088
 e-mail: info@goald-singleton.co.uk

Hayley Group Limited
 Shelah Road
 Halesowen
 B63 3XL

date scales 1:250
 6/3/23
 SDC GSA
 checked
 number drawn 21-1883/25A

Site Sections across Yard = Sheet 2 of 2

This drawing and the building works depicted are the copyright of the Architects and may not be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Do not scale prints. Figured dimensions only to be taken from this drawing.

All references to the specification of any product, material or system used in the proposed construction, repair, treatment and refurbishment of any building or structure detailed on this drawing, in respect of the performance of combustibility, fire resistance or fire protection shall be fully in accordance with manufacturer's or supplier's specifications and recommendations and in accordance with current applicable regulations. Where specified refer to fire engineer consultant's specific details where appointed.

No reliance shall be placed on such details on this drawing.

```
..\\Users\\stephen.cox\\Pictures\\hayl
```

[illegible]

This architectural elevation drawing shows a proposed warehouse and an existing building. The proposed warehouse is a large, single-story structure with a gabled roof. A red box highlights a section of the roofline. To the left, a 3.75m fence is shown with a car parked behind it. The existing building is a multi-story structure with a flat roof. A red box highlights a section of the roofline. The drawing includes various labels and annotations:

- Proposed Warehouse**: Large red text in the center of the drawing.
- 3.75m fence**: Text above the fence line on the left.
- Roof Plant zone for Office AC Condensors**: Red text above a red box on the roof of the existing building.
- New entrance and reception**: Text above a new entrance on the right side of the existing building.
- Existing roof partly removed**: Text below the roofline of the existing building on the right.
- Labels inside the existing building**:
 - Ceiling**: Two labels.
 - Office**: Two labels.
 - Floor zone**: One label.
 - Ceiling Entrance**: One label.

A	12.04.23	acoustic fence hight increased	PS	SC
rev.	date		drawn	chk

Gould Singleton Architects
Earls Way, Halesowen, West Midlands, B63 3HR
Tel: 0121 550 0359 Fax: 0121 550 0360
e-mail: info@gould-singleton.co.uk

number	1:500	Hayley Group Limited
drawn	6/3/23	Shelah Road
date		Halesowen
scale		B63 3XL
checked	SDC GSA	AC Condensor Locations to New Offices
21-1883/26A		This drawing and the building works depicted are the copyright of the Architects and may be reproduced except by written permission. This drawing must be read and checked against any specialist drawings and information provided. Do not scale prints. Figured dimensions

Planning Committee – 31st May 2023

Report of the Director of Regeneration and Enterprise

Costings for Planning Obligations April 2023 - supplementary report

Purpose of the Report

1. To consider the updated Planning Obligations Costings updated from 1st April in accordance with Council Policy.

Recommendations

2. It is recommended that Planning Committee: -
 - Note the continued use of Consumer Price Index in Planning Obligations costings as outlined in Appendix C, and in accordance with the adopted SPD “Planning Obligations” as per previous report to Planning Committee, Planning Service Fees, 12th December 2022.
 - Note the updated Planning Obligations costings (Appendix One) in line with the Consumer Price Index rates since 2019 to 2023.

Background

3. The use of planning obligations to secure financial developer contributions towards the delivery of local infrastructure is a key and well-established element of the planning system and is required on certain planning applications depending on the scale and nature of development.
4. There is a need to index link planning obligations as a failure to do so would result over time in insufficient contributions being secured.

The use of inflationary indices for planning obligations is an established principle which is set out in the Planning Obligations SPD (approved in September 2011) and is supported by the Department of Community and Local Government (DCLG) publication entitled '*Planning Obligations: Practice Guidance*' (2006). The index used is Consumer Price Index (CPI).

5. As reported to Planning Committee 12th December 2022 (Planning Fees 2023 Report), Planning Obligation fees are updated in line with CPI and are valid from 1st April. This report is a supplementary report to December report as the Planning Obligation fees have now been updated from 1st April 2023, to reflect the change in CPI between 2019 - 2023. Appendix One of this report provides details of the Current Costing of Planning Obligations.

Finance

6. In line with Policy a review of the Planning Obligation charges is undertaken to ensure sufficient contributions are being secured.

Law

- 7 Planning Obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. The use of inflationary indices for Planning Obligations is an established principle and the Council uplifts contributions annually from the 1st April in line with the Consumer Price Index (CPI) as set out in the Council's Planning Obligations SPD June 2016.

Risk Management

8. There are no material risks to the Council resulting from the report.

Equality Impact

9. This report complies fully with the Council's Policy on equal opportunities.

Human Resources/Organisational Development

10. There are no implications arising from this report.

Commercial/Procurement

11. There are no direct implications for Procurement or Commercial arising from this report.

Environmental/Climate Change

12. There are no environmental or climate change issues arising from this report.

Council Priorities

13. Having appropriate Planning Obligation fees in place for both residential and commercial development supports the council's priority of *regenerating the borough* as well as helping to create a cleaner and greener place.



Director of Regeneration and Enterprise

Report Author: Vicki Popplewell
Planning Policy Manager
Telephone: 01384 814136
Email: vicki.popplewell@dudley.gov.uk

Appendix One: Current Costings and Planning Obligations

APPENDIX ONE

Current Costings and Planning Obligations*

Type of Obligation	Current Costings applicable to planning applications submitted between 1st April 2023 and 31 st March 2024
Affordable Housing	25% on-site obligation on all sites proposing 15 dwellings or more
Education	<p>Calculated on a site-by-site basis:</p> <ul style="list-style-type: none">• Nursery/Primary school place - £13,890.76 per school place,• Secondary £20,931.39 per school place• Sixth Form/Post 16 education £22,700.44 per school place <p>In accordance with the Planning Obligations SPD, in exceptional circumstances obligations may be required for 0–5-year-olds and Special Education facilities.</p> <p>SEND Provision will be provided based on a case-by-case basis:</p> <ul style="list-style-type: none">• Primary SEND Provision - 4.1% of any identified shortfall in provision will relate to Special Educational Needs and Disability (SEND) which will be charged at 4 x the Primary rates• Secondary SEND Provision - 4.1% of any identified shortfall in provision will relate to Special Educational Needs and Disability (SEND) which will be charged at 4 x the Secondary rates
Highway Infrastructure Works	Calculated on a site-by-site basis – usually non-financial
Air Quality Improvements	£42.96 per additional traffic-based trip
Nature Conservation	Calculated on a site-by-site basis – usually non-financial

Open Space, Sport and Recreation	On sites 80 dwellings or more where onsite provision cannot be accommodated: <ul style="list-style-type: none"> • Per Flat £1,372.46 • Per House £2,468.48
Environmental Safety and Health	Calculated on a site-by-site basis
Historic Environment	Calculated on a site-by-site basis

* Current Costings Table to be updated annually on 1st April in line with CPI, subject to Council approval – prices have been increased in line with CPI from April 2019 – February 2023

Material considerations	Non Material considerations
Layout: does it reflect the character of the area, does it protect existing resident's amenity, does it provide sufficient amenity space, and does it protect businesses/future residents from noise/odour/dust complaints.	Market competition (competition with centres in terms of the requirement for a sequential approach to town centre development is material, but general competition with local shops or business is not).
Design and appearance: materials, scale, massing, style of development in terms of proportions, vertical or horizontal emphasis, heights. Appropriate to host building, immediate neighbours and wider street scene.	Loss of view (unless you own all the land between you and the view you have no right to it).
Landscaping: is this appropriate, sufficient, particularly if forming a screen or providing some form of mitigation	Loss of property value
Highway safety: can safe access and egress be made, is there sufficient car parking, can the site be serviced by fire engines, bin lorries, delivery vehicles.	Matters covered by other legislation
Impact on heritage assets/nature conservation; does the development have a positive, neutral or negative impact on heritage assets. Can the impact be mitigated through the provision of enhancements elsewhere?	Matters that can be adequately controlled by the imposition of a suitably worded condition.
Planning history: has a similar scheme been approved before/refused before? Is there appeal history.	The fact the application is for a retrospective development. Development without consent is not unlawful - it only becomes so once formal enforcement action is taken and the developer fails to comply.
	The fact the application is a repeat application (repeat non amended applications can in exceptional circumstance be refused to be registered but once registered they must be

	considered on their merits).
	The fact the developer/applicant has a history of non compliance with conditions/consents. Non compliance is dealt with through planning enforcement not through decision making.
	What may or may not happen as a result of the decision in the future.